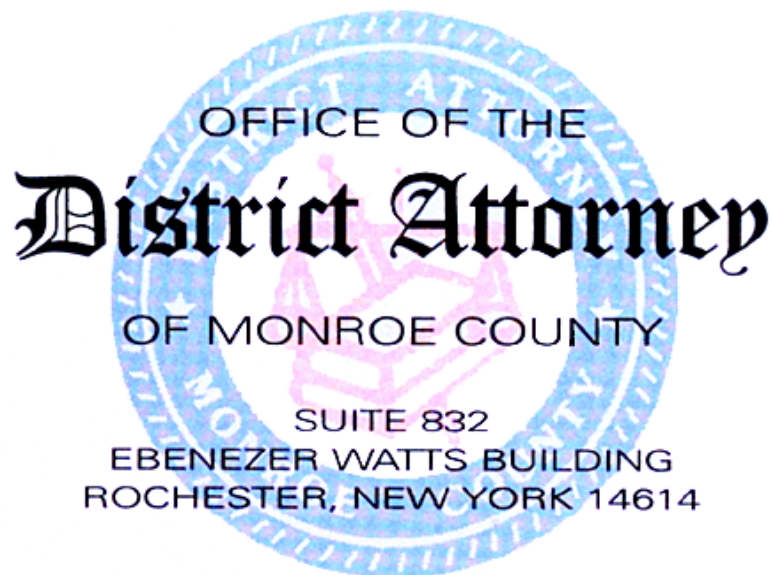


2015

Monroe County District Attorney's Office

ANNUAL REPORT

Monroe County District Attorney Sandra Doorley



A Message From Monroe County District Attorney Sandra Doorley

Thank you for your interest in the Monroe County District Attorney's Office and for taking the time to review our 2015 Annual Report. This report chronicles my fourth year as Monroe County's chief law enforcement officer, offers a wealth of information on our many distinct bureaus, programs and functions while also providing a sampling of the thousands of cases that our office prosecuted in 2015 on behalf of the people of Monroe County.

Since being sworn in as your District Attorney four years ago, I have worked diligently to maintain an organization that vigorously promotes public safety while maintaining the highest standards of prosecutorial integrity. In 2015, I am proud to report that our office successfully prosecuted over 4,800 felony cases and over 18,400 misdemeanor cases while maintaining a 95% conviction rate. Our bureau structure and policy of vertical prosecutions have continued to allow specialized prosecutors to handle cases matching their unique expertise. We have enjoyed continued success in our strategy of fighting violent crime and illegal use of firearms by restricting plea offers.

As an accompaniment to our successful efforts in the courtroom, we have continued to expand our mission to include a wide variety of public outreach and educational events within the community. Each week, members of my attorney staff and I participate in seminars, speak to schools groups and provide training for police officers and other public safety partners while continuing our commitment to law enforcement outreach endeavors such as Project TIPS, UNITE Rochester and National Night Out events. These joint law enforcement programs highlight the important work that our community partners perform each day, including Project Exile, Project TIPS, UNITE Rochester, Bivona Child Advocacy Center, Willow, and the Domestic Violence Coalition. In addition to these important collaborations, our office enjoys charitable partnerships with community organizations including The Boys and Girls Club of Rochester and Wilson Commencement Park. Through initiatives such as the Boys and Girls Club, "Project Step UP", Rochester Teen Court and the Pencil Partners Program, we have remained committed to proactive crime prevention and public education programs which address factors that drive crime in our communities.

Upon being sworn in as District Attorney 4 years ago, I pledged to increase our office's focus on victims and victim services, a commitment which resulted in a variety of positive organizational and procedural changes. In 2015, we enhanced our victim's services department by hiring a Domestic Violence Investigator to work directly with victims and their families throughout the prosecution of their cases.

Another new endeavor includes the Distracted Driving Program, the first of its kind in NY State and designed to combat the increasingly deadly behavior of texting and talking while driving. Each year we see thousands of deaths in New York as a result of cellphone use while driving.

In the fall of 2015, our office partnered with area law enforcement and community leaders to create and implement a new Supreme Court Part known as the Gun Crimes Part. This new court is intended to directly impact the outcomes and prosecution of cases involving gun crimes. The new part designates one Justice to oversee all certain gun related indictments in an effort to provide fair

and consistent sentencing to the defendants. It is our hope that we can more effectively combat violence in our community by designating a single very experienced judge to oversee these complex cases.

This record of accomplishment in prosecuting cases, engaging in public service and successfully managing our public funds would not have been possible without the dedicated commitment of our 80 attorneys and over 60 members of our support staff who comprise the Monroe County District Attorney's Office; public servants whose skill and professionalism drive our continued success. The staff, along with our many incredible partners in law enforcement operating outside of the courtroom, work tirelessly to promote public safety while providing an unrivaled level of service to all of us who call Monroe County home.

It is my hope that you find this report useful, informative, and engaging, and that it gives you the reader, insight into both our criminal justice system and the work that our office does on behalf of the citizens of Monroe County each and every day. I am proud of our record of accomplishments, and look forward to continuing to communicate to you the extraordinary work that this office and it's dedicated staff performs both in future reports and at the many events, seminars, and information sharing meetings that we attend throughout the year.

I thank you for your continued support, and thank you for the honor of serving you as Monroe County District Attorney.

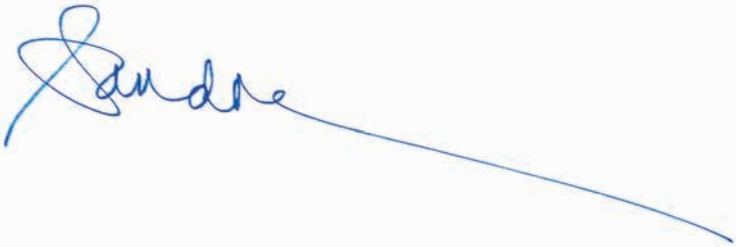
A handwritten signature in blue ink, appearing to read "J. Andrew", followed by a long, thin horizontal line extending to the right.

TABLE OF CONTENTS

Introduction.....	6
I. Homicide Division.....	20
II. Major Felony Bureau.....	20
III. Non-Violent Felony Bureau.....	21
IV. Motor Vehicle Theft & Insurance Fraud Prosecution Program	22
V. Special Victims Trial Division.....	23
VI. DWI Bureau.....	25
VII. Special Investigations Bureau	27
VIII. Economic Crime Bureau	28
IX. Appeals Bureau.....	30
X. Local Courts Bureau.....	31
XI. Grand Jury Bureau.....	32
XII. Victim Witness Bureau	34
XIII. District Attorney Investigators Bureau	35
Investigator Staff.....	36
Cases Prosecuted.....	39

IN MEMORY OF
ROCHESTER POLICE OFFICER
DARYL PIERSON
WHO SACRIFICED HIS LIFE ON SEPTEMBER 3, 2014
WHILE PROTECTING THE COMMUNITY



**WE WILL NEVER
FORGET**



Messages from a Fallen Officer

by Lt. Dan Marcou, La Crosse, Wisconsin Police Department, Retired

To My Partner

You did all that you could, I fell and you stood.
You know sadness was never my style.
Those were the cards that we drew, nothing else more to do,
Except remember me, friend, with a smile.

To My Spouse

Don't think me gone, but away, though I wish I could stay,
I'm not there, but our love did not end.
We had faith, we had love, sure as God is above
I feel your love from here that you send.

To My Children

I know for you it is hard to be alone in the yard
In that place where we laughed and we played.
My girl, my boy, know you still give me joy,
Live your life as I did, unafraid.

To Officers Left Behind

Each day you hit the street to cover your beat,
Prepare for the dangers you face.
Train hard, wear your vest - you'll be put to the test.
Each day with your family embrace.

To the Criminals

Now that I'm here and God's plan is so clear
To you there is but one thing to say.
You steal, rape and kill and abuse your free will
Your time will come, when there's Hell to pay.

To All

I seem gone from you now, but I know that somehow
We will reunite in another place.
For "The good they die young," is a song often sung,
But this verse is flawed on its face.

You see the good don't die young, but instead they live on,
In memories, and many a heart.
The good that you do does not die when you do.
For the good, death's not an end, but a start.

COMMUNITY ENGAGEMENT



COMMUNITY ENGAGEMENT



Monroe County District Attorney Sandra Doorley

Elected in 2011, Sandra Doorley is the first female District Attorney in Monroe County history. In 2015, District Attorney Doorley was re-elected to her second four year term. Prior to assuming elected office, Doorley served the District Attorney's Office with distinction for twenty years, successfully prosecuting thousands of high profile criminal cases and compiling an impressive record of victories. After joining the office in 1992, Sandra Doorley served under District Attorneys Howard Relin and Mike Green in the following capacities:



- Chief of the Felony DWI Bureau (2004-2005)
- Deputy Chief of the Major Felony Bureau (2005-2008)
- Second Assistant District Attorney (2008)
- First Assistant District Attorney (2008-2011)
- Homicide Bureau Chief (2008-2011)



Sandra Doorley is recognized as a leader in the prosecution of cold cases using DNA evidence. She obtained an indictment and conviction in such cases, including the 1976 murder of a young girl in Rochester and the conviction of a serial sex offender for murder and sexual assault. In January 2011, Sandra Doorley was honored by the New York State District Attorney's Association with the Robert M. Morgenthau Award in recognition for her "professional accomplishments, honesty, integrity and commitment to the fair and ethical administration of justice." In 2014, Sandra was presented with the *Stop the Hurt Award* by Alternatives for Battered Women, recognizing her successful prosecution in the murder trial of Brockport College freshman, Alexandra Kogut. In



July of 2015, at the District Attorney's Association of the State of New York Summer Conference, The New York State Prosecutor's Training Institute awarded Sandra Doorley the *Prosecutor of the Year Award*. At the same conference, Doorley was sworn in as 3rd Vice-President of DAASNY, placing her in line to be President in July of 2018. In addition to her duties as District Attorney, Sandra Doorley continues to assume the role of lead prosecutor on several current and pending homicide cases. Most recently, she was responsible for the successful murder conviction of Thomas Johnson III, who shot and killed Rochester Police Officer Daryl Pierson in September of 2014.

In addition to her duties as Monroe County's chief law enforcement officer, Sandra Doorley is a member of the Greater Rochester Association for Women Attorneys and the Monroe County Bar Association, as well as a board member of the Boards of the Boys & Girls Club of Rochester, the National Center for Missing and Exploited Children, and the Huther-Doyle substance abuse treatment center. Each year, Ms. Doorley makes hundreds of public appearances, speaking to civic groups and at trainings and ceremonies both in her capacity as District Attorney and as an active member of the community.



Doorley completed her undergraduate studies at the University at Albany and is a graduate of the Syracuse University School of Law. She currently lives with her family in Webster.



First Assistant District Attorney Kelly C. Wolford

The First Assistant District Attorney is appointed by the District Attorney and is responsible for general office administration in addition to the direct oversight of five interoffice bureaus. Former Monroe County Court Judge Kelly C. Wolford was appointed First Assistant District Attorney in July 2011 after serving two years as Chief of the Appeals Bureau. In her 20-year tenure at the DA's office, Wolford has successfully prosecuted hundreds of high profile criminal cases and is regarded as one of Monroe County's most experienced prosecutors. Prior to joining the Monroe County District Attorney's Office in June 1997, Wolford was an Assistant County Prosecutor in the Stark County Prosecutor's Office in Canton, Ohio. Wolford completed her undergraduate studies at Allegheny College and is a graduate of the University of Dayton School of Law.



Second Assistant District Attorney Timothy L. Prosperi



The Second Assistant District Attorney is appointed by the District Attorney and is responsible for both office administration and direct oversight of four interoffice bureaus. Timothy Prosperi was appointed by former District Attorney Michael Green in 2009 and was retained in that role by District Attorney Doorley when she assumed office in 2012. A 27 year veteran of the District Attorney's Office, Mr. Prosperi spent four years in private practice before entering public service, where he has successfully prosecuted hundreds of felony level offenders, including more than 20 homicides. Prior to his appointment as Second Assistant District Attorney, he was Chief of the Special Investigations Bureau and served as Deputy Chief of the Local Court Bureau.

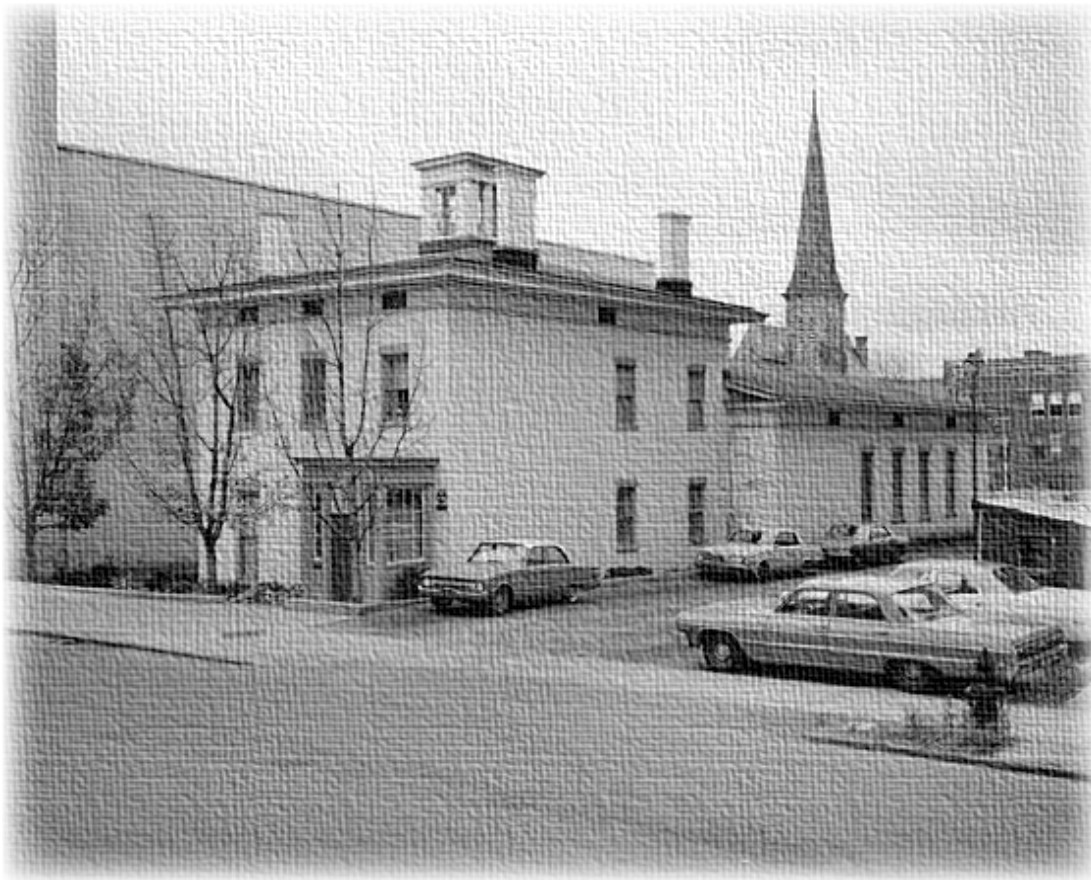
Timothy Prosperi serves on the District Attorney's Association of New York's Best Practices Committee. He performed his undergraduate studies at the State University of New York at Geneseo and is a graduate of the SUNY Buffalo Law School.

The Monroe County District Attorney's Office

The Monroe County District Attorney's Office is charged with the fair and impartial prosecution of felony and misdemeanor crimes and violations perpetrated against the citizens of Monroe County. In addition, as a non-mandated service, the office prosecutes traffic infractions in many of the town and village justice courts in the county. With a staff of 81 sworn attorneys and 62 support staff, the DA's office is one of the largest law firms in Monroe County. Based on caseload (4,881 new felony case referrals and 18,447 misdemeanor arraignments in 2015), the Monroe County District Attorney's Office ranks in the top ten offices in counties statewide by case volume and regularly outperforms New York State average for felony conviction rates.

Elected in 2011 and re-elected in 2015, District Attorney Sandra Doorley is a constitutional officer, Chief Prosecutor for Monroe County. First Assistant District Attorney Kelly Wolford and Second Assistant District Attorney Timothy Prosperi are appointed by the District Attorney and are each responsible for the supervision of several bureaus as well as overseeing all homicide prosecutions, evaluating each homicide arrest to determine the best prosecution strategies to ensure a conviction, and assigning such cases to other experienced Assistant District Attorneys (ADAs) on staff. The office is structured into a number of specialized bureaus, with each bureau overseen by a Bureau Chief. Some Bureau Chiefs report to the First Assistant District Attorney and the others to the Second Assistant District Attorney.

The Monroe County District Attorney's Office is located in the Ebenezer Watts Building at 47 Fitzhugh Street South, Rochester.



The original home of Ebenezer Watts, the current location of the Monroe County District Attorney's Office

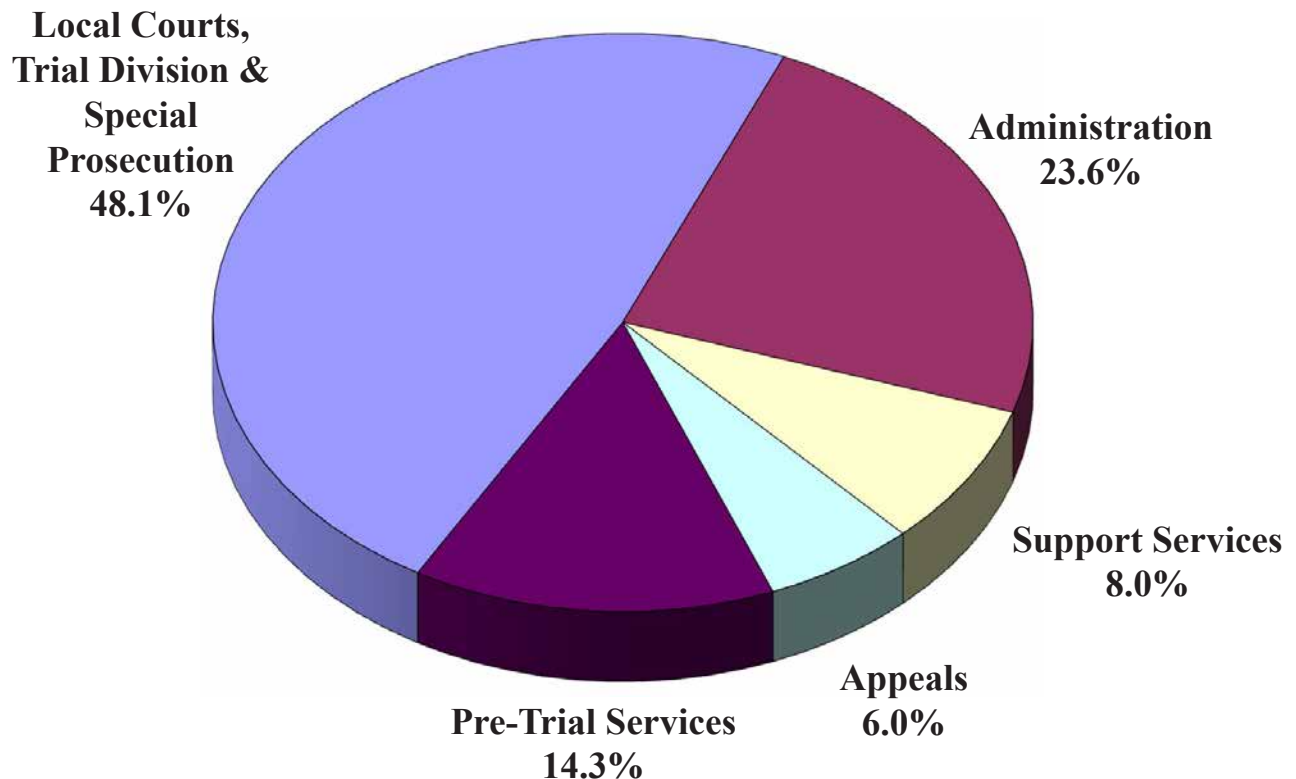
The Monroe County District Attorney's Office

2015 Financial Overview

The District Attorney's Office plays an indispensable role in both the government and criminal justice systems in Monroe County. The importance of its mission however, must be balanced with the responsible, effective, and efficient use of public resources. This District Attorney is always striving to improve services and outcomes for the community.

In 2015, the Monroe County District Attorney's Office continued its record of fiscal responsibility, holding the line on budgetary growth while expanding prosecutorial assets and programs. This was accomplished by aggressively seeking federal and state grant opportunities and utilizing forfeiture funds to reduce the burden on Monroe County taxpayers. In this era of decreasing budgets and leaner government, the Monroe County District Attorney's Office is committed to maximizing the effectiveness of its staff and its use of existing resources to enhance its ability to successfully prosecute increasing numbers of cases.

2015 Operating Budget \$13,562,967
2015 Grant Budget \$946,100



Forfeiture Funds

2015 Forfeitures
Funds Received: \$202,463
Funds Spent: \$25,135

Forfeiture \$ By Year	2014	2013	2012	2011	2010
Funds Received	\$58,297	\$230,504	\$69,261	\$71,347	\$82,608
Funds Spent	\$177,560	\$185,654	\$94,171	\$62,873	\$49,339

Investigations into criminal activity, particularly those linked to drug crimes, can result in the seizure of large quantities of cash and consumer items by authorities. Some of this seized property and currency is referred to the United States Attorney's Office for a process known as "federal adoptive forfeitures." Through this process, convicted offenders may have the property they acquired in pursuit of their illicit activities liquidated and distributed among law enforcement agencies, including the District Attorney's Office, who then use the money to purchase equipment, improve facilities, and conduct public awareness programs.

Not all forfeiture funds qualify for federal government seizure, however, with New York State controlling much of the money confiscated during felony arrests. Since 2004, the Monroe County District Attorney's Office Special Investigations Bureau, exercising its authority under Article 13-A of the New York State Civil Practice Law and Rules, has worked with state courts in order to receive portions of the these confiscated funds for law enforcement activities within Monroe County.

In 2015, the Monroe County District Attorney's Office received forfeiture funds totaling \$202,463 from both federal and state sources.

Unfortunately, in 2015, we were notified by the United States Attorney's Office that the federal adoptive forfeitures program would be discontinued.

Project STEP-UP

The District Attorney's Office funds and provides personnel for The Boys & Girls Club of Rochester's Project STEP-UP Program, a summer program to help at-risk youth resist peer pressure to get involved with guns, drugs, and gang activities. The program focuses on recruiting youth from street corners, involving them in a recreational basketball league and other programs in an effort to teach gang resistance, constructive conflict resolution, and development of the skills required to become a positive peer role model.

In 2015, the program provided outreach five nights a week from 6-11pm to nearly 120 youth ranging in age from 14 to 21. Funding for Project STEP-UP comes entirely from the District Attorney's GIVE Grant Fund, totaling \$15,000 in 2015. By comparison, the cost of incarcerating a single individual for one year in New York State exceeds \$60,000.

GREAT FUTURES START HERE.



BOYS & GIRLS CLUBS

The Monroe County District Attorney's Office & The Boys & Girls Clubs of Rochester

The Monroe County District Attorney's Office is proud to be a major sponsor of the Boys & Girls Club of Rochester. Through this relationship, which is entering its tenth year, the District Attorney's Office is not only able to give back to the community it serves, but is also given the opportunity to have a positive impact on the lives of hundreds of urban youth in Monroe County through the Club's Accelerated Reader Program and Project STEP-UP. As a community partner, the DA's Office is able to assist the Boys & Girls Club in their mission to provide youth development programs that enable young people to acquire the skills and qualities needed to become responsible citizens and leaders. Since



its inception, the Boys and Girls Clubs movement has provided mentoring and leadership training specifically designed to change the lives of youth who face daily challenges such as poverty, broken homes, crime, unemployment, prejudice and difficulties in school. The DA's Office is honored to be a part of that legacy and looks forward to continuing its involvement with the Boys & Girls Club.



The Accelerated Reader Program at the Boys and Girls Clubs of Rochester

The Accelerated Reader Program at the Boys & Girls Clubs of Rochester is at the core of the clubs' literacy initiative, challenging participants to read as many books as possible in six months while instilling in them a lifelong love of reading and learning. The program, which is fully funded by the Monroe County District Attorney's Office through forfeiture funds, provides students with books suitable to their reading levels, immediate feedback on comprehension via computerized tests, and recognition for individual reading progress.

In 2015, The Boys & Girls Clubs of Rochester celebrated their twelfth year of the Accelerated Reader Program, with 188 members reading 10,567 books between October 2014 and May 2015 with a comprehension rate average of 85.3%.

The following statistics demonstrate the 2015 accomplishments of our "Reader Leaders"...

- 200 Boys and Girls Club members enrolled the Accelerated Reader program.
- 145 Accelerated Reader Program members read 3,203 books with an 85.5% correct average in comprehension.
- 126 members met fourth quarter reading goals.
- 52 enthusiastic readers passed quizzes for 50 or more books, 25 readers passed 75 or more quizzes, and 18 eager readers passed 100 or more quizzes.
- Weekly participation for second quarter averaged approximately 122 members, ranging between 116-129 students per week.
- 18 members read 100 or more books.
- Student reading logs are assessed weekly and Accelerated Reader members continue to advance in their reading skills as a result of daily reading practice.
- The 2015 Top Two Readers of the Year:
 - Grade 5 Bryan Navarro, 187 books read
 - Grade 8 Raheema Muhammad, 151 books read
- The following statistics indicate the progress of the Accelerated Reader program at the Boys & Girls Club since its inception in 2003.



Project TIPS

Each year, hundreds of crimes in the City of Rochester, including violent crimes, go unsolved because members of law enforcement are unable to locate those with crucial information needed to make an arrest. Sometimes this occurs simply because there were no witnesses to a crime. Often, however, residents who possess vital information do not come forward because they do not trust members of government and law enforcement, believing that they



cannot help, or worse—that the police, rather than the criminals, are the enemy. Though not unique to Rochester, the lack of trust between government service providers (police, DAs, firefighters, etc.) and the residents of inner-city neighborhoods has grave consequences, making it difficult for law enforcement officials to adequately serve the neighborhoods, and the residents living in them, that they are sworn to protect. In short, law enforcement cannot be effective without support from the community.

Project TIPS, which stands for Trust, Information, Programs & Services, seeks to break down the walls of complacency and fear by bringing law enforcement into targeted communities and engaging with residents face to face in a fun, relaxed environment. Celebrating its eighth year serving the residents of Rochester, Project TIPS events occur in public spaces such as parks or community centers around the city, featuring free food and drinks, horseback riding, games, giveaways, and conversation all designed to build trust among the residents and law enforcement personnel in an effort to encourage information sharing and reduce crime. Founded by Gary Mervis of Camp Good Days and Special Times, TIPS has evolved into a community-wide initiative with support and participation from dozens of service, government, neighborhood, and law enforcement organizations across Monroe County. The Monroe County District Attorney's Office is a dedicated participant and supporter of Project TIPS, handing out children's books, ice cream and brochures, answering questions, engaging kids and their parents, and going door to door at events in an effort to meet residents and learn about their neighborhoods.



Locations for TIPS events are chosen by the Chief of the Rochester Police Department in cooperation with the District Attorney's Office and other agencies serving the community.

The 2016 Project TIPS events will be held on:

- Thursday, June 23, 2016 Wilson Foundation
(corner of Genesee Street and Samuel McCree Way)
- Thursday, July 28, 2016 Norton Village
- Thursday, August 25, 2016 Edgerton Park
- Thursday, September 29, 2016 Carter Street Recreation Center



GIVE

Gun Involved Violence Elimination

GIVE is a New York State Department of Criminal Justice (DCJS) program implemented in 2014 to assist 17 New York State counties, outside of New York City, in the reduction of gun related violence. DCJS requires each participating county to use Grant Money to focus exclusively upon reducing and preventing shootings and firearms related violence. The GIVE initiative focuses on information sharing, community partnerships, crime analysis and evidence based practices to assist in reducing firearm related homicides and shootings.

GIVE Program crime fighting strategies include; enhanced patrols in identified “hot spots”, focused deterrence against violent gangs, increased supervision of individuals on parole and probation, and the deploying street outreach workers to interrupt cycles of violence.

The GIVE program is administered by DCJS and provides funding to district attorney’s offices sheriff’s offices and probation departments to be used for personnel, crime analysis, equipment, training and community outreach.

The Monroe County District Attorney’s Office is an active partner in the GIVE initiative. Funding acquired from DCJS under this grant, allows the Office to support our Law Enforcement Partners by assigning Assistant District Attorney’s to focus on places where violent crime is more prevalent, and the offenders that are driving the violence within our Community.

“It gives me a great deal of satisfaction to see justice done for the victims of the crime and to act as their voice in the courtroom.”

~District Attorney Sandra Doorley



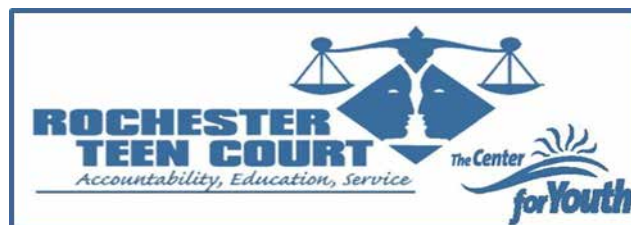
SPECIALTY COURTS

In addition to the local and Superior Courts, Monroe County administers several other specialized courts designed to address specific types of offenders and to dispose cases in a manner that better serves the community by reducing incidences of recidivism. These courts can offer offenders alternatives to jail time, or reduced jail time, if they agree to certain conditions, often involving treatment or therapy for the problem that leads them to criminal behaviors. In this way, the criminal justice system is able to address the root causes of crime rather than simply focusing on punishing offenders, which places tremendous financial burdens on taxpayers while doing nothing to deter undesirable behavior in those with drug or mental health related difficulties.

Rochester Teen Court

Administered by the Center for Youth Services, Rochester Teen Court is a peer to peer youth sentencing diversion program that serves as an alternative to the traditional judicial system for first-time offending teens, ages 16-19, who commit non-violent misdemeanor crimes. Defendants whose cases are transferred to Teen Court have a disposition of their criminal charges by peers acting as prosecutors, defense counsel, court personnel and jurors. An actual City of Rochester or County Court judge presides over the proceedings, and the teen jurors recommend sentencing. Local attorneys in both private and public practice volunteer their time to help train youth to become members, offer on-site assistance with their cases and provide educational feedback to program participants.

During the proceedings, teen attorneys are assigned cases, meet with their clients (the teen defendants) interview witnesses, and address the teen jury. Teen Court, however, is a sentencing court rather than a trial court, so a defendant's guilt or innocence is not argued. Instead, teens who agree to participate in the program understand that they are in court to face the consequences for their criminal behavior.



Rochester Teen Court is a prevention and intervention initiative that can be useful in diverting more serious criminal behavior while it addresses and intervenes in the lives of those youth already presenting significant concerns. Through the program, participants not only increase their awareness of the causes of violence in the community and what they can do to prevent it, but also have the opportunity to develop relationships with positive professional role models. Imposed sentences, which are recommended by the jury, range from letters of apology and essays to community service, drug screening, or other reasonable conditions as appropriate.

The Monroe County District Attorney's Office is a proud sponsor of Rochester Teen Court, which enjoys support from many other law enforcement organizations.

Drug Treatment Court

This innovative program, designed to provide long-term assistance to offenders while at the same time reducing rates of recidivism, requires participants to successfully complete an extensive drug and/or alcohol treatment and rehabilitation program, obtain a diploma from high school or GED, and secure employment or enroll as a full time student. One alternative sentence, called Road to Recovery, is a treatment program funded by a state grant and administered through the drug treatment court as an alternative to a state prison sentence. The National Drug Court Institute has documented the positive impact the program has had in Monroe County at recidivism rates. Suitable cases which the District Attorney's Office might consent to being transferred to this court include some misdemeanors, certain non-violent felonies, and violations of probation. Domestic violence, sex crimes, drug sales, or violent felony offenders are excluded from consideration for this specialized court.

Mental Health Court

Across New York State and the nation, the criminal justice system and the jails are increasingly becoming the repository of those with mental illness. The mission of the Monroe County Mental Health Court is to improve public safety, modify court procedures as to the treatment of the mentally ill, and to address the long-term needs of this population. The District Attorney's Office works closely with the Departments of Probation and Social Services agencies to identify appropriate candidates for the court, facilitate the creation of individualized treatment plans, and monitor the defendant's compliance with the plan. The goal is to be more compassionate and effective regarding the specific problems posed by defendants with mental illness who have committed crimes while at the same time reducing recidivism, improving public health, and saving significant tax dollars over the cost of traditional incarceration.

Integrated Domestic Violence Court

The Integrated Domestic Violence Court is intended to consolidate criminal domestic violence cases, criminal cases related to Family Court cases involving the same individuals, and divorce-related Supreme Court matters into a single case before one judge. In the past, victims had to face several judges in up to four different court rooms to have their criminal, family and matrimonial matters resolved. Integrated Domestic Violence Courts seek to impose a "one family—one judge" model able to respond to the unique nature of domestic violence with a single judge handling all criminal domestic violence matters along with related family issues including custody, visitation, and civil protection orders.

All of the cases are adjudicated jointly in order to facilitate resolution of multiple related and/or unrelated issues between one family by a single judge. In this way, the court is better able to monitor compliance with court orders and program mandates while giving victims a greater voice in their often complex cases.

Veterans Court

The growth of the United States Military and the overseas conflicts that it has engaged in over the last decade have produced many thousands of returning veterans to communities across New York State. Military veterans, particularly those who have experienced combat, however, face unique challenges in their lives that sometimes lead to their entry into the criminal justice system. Recognizing these unique challenges, the Monroe County Veterans Treatment Court was established in 2009 in an effort to address the underlying problems leading to a defendant's behavior and to get them the help that they need to successfully reintegrate into civilian life.

Similar to drug treatment and mental health treatment courts, the Veterans Court utilizes a team-centered approach in an effort to provide immediate and intensive intervention to address the needs of veterans who have committed non-violent misdemeanor and felony offenses. This approach involves the cooperation and collaboration of traditional drug treatment and mental health providers with the addition of representatives from The United States Department of Veterans Affairs, the Veterans Outreach Center, in addition to other veterans support organizations and peer mentors. By virtue of their military experience, peer mentors provide veteran-defendants with a unique source of support and motivation as they navigate through the court process. Similar in some ways to drug court and mental health court, defendants entering Veterans Treatment Court are given a chance to complete programs and counseling to overcome their issues as an alternative to disposition in the regular court system or jail time. In addition to traditional services, the court, similar to drug treatment and mental health treatment courts, will help with vocational skills so veterans are fully employed when they leave the court.

Judicial Process Commission Program

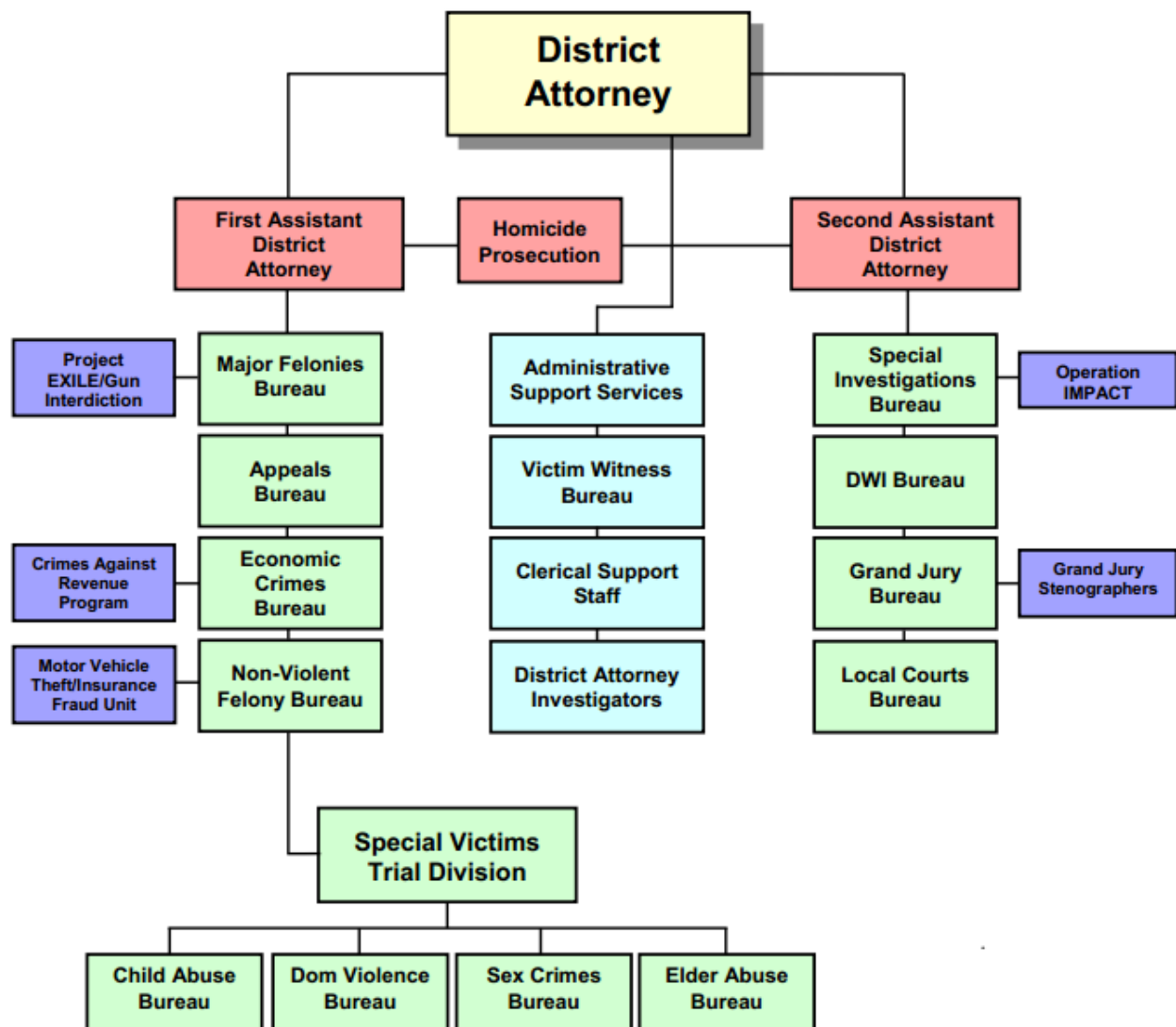
The Judicial Process Commission Program is a treatment court run by Judge Dinolfo and Judge DiMarco. JDP offers those who have committed a non-violent felony offense, who also suffer from a substance abuse addiction an opportunity to receive a substance abuse counseling and rehabilitation to encourage a more promising emersion back into the community. A defendant who is JDP eligible must have no prior violent felony conviction. Often times the successful completion of the program will allow a defendant to plead guilty to a lesser charge, with potential chance of avoiding a felony conviction. The conditions placed upon the offender are decided on a case-by-case basis.

The Monroe County District Attorney's Office

Twelve Bureaus. One Mission.

The Monroe County District Attorney's Office is divided into twelve prosecuting and two support bureaus. This arrangement ensures that certain types of crimes are prosecuted by attorneys within the DA's Office that share specialized knowledge of both the law and the unique prosecutorial techniques often required to ensure convictions. Each of the twelve bureaus, though unique, works tirelessly to carry out the mission of the Monroe County District Attorney's Office: to dispense justice to the community by vigorously prosecuting those who commit crimes, to ensure the rights of victims, and to improve the quality of life for those who call Monroe County home.

The following pages offer a brief profile of each of these important bureaus, a biography of the Bureau Chief, and a small, representative sample of the cases prosecuted by each bureau in 2015.



I. The Monroe County District Attorney's Office

Homicide Division

The Homicide Division of the Monroe County District Attorney's Office is a collective of the Office's most experienced trial attorneys who are assigned to prosecute homicide cases on behalf of the people of Monroe County. Overseen by the First and Second Assistant District Attorneys in close cooperation with District Attorney Doorley, the Homicide Division is made up of members of other bureaus within the office, most often Bureau Chiefs or senior members of the Major Felony Bureau. Regarded as among the most complex and consequential of all prosecutions, homicides require not only significant experience and expertise, but also additional support in order to ensure ample preparation and research prior to trial. As a result, homicide cases are sometimes assigned to two prosecutors—a "lead prosecutor" who is the main attorney assigned to the case, and a second prosecutor, often referred to as a "second chair." Generally, prosecutors who try these cases have "second-chaired" other homicide cases in the past before assuming the role of lead prosecutor. First and Second Assistant District Attorneys Kelly Wolford and Timothy Prosperi, along with Bureau Chiefs Perry Duckles and Matthew Schwartz, are on call 24 hours a day and respond to every homicide in Monroe County, inspecting the crime scene and working closely with police agencies, providing legal advice when necessary.

In 2015, the Monroe County District Attorney's Office Homicide Division took in 68 new cases. Fifty-two homicide cases were closed, with an 86% conviction rate after 23 trials.

II. The Monroe County District Attorney's Office

Major Felony Bureau

The Major Felony Bureau prosecutes career criminals and violent felony offenders for crimes including robbery, burglary, and assault. Homicide prosecutions are also frequently assigned to attorneys within this bureau. In 2015, the Major Felony Bureau took in 757 new cases. Seven hundred and thirty four cases were closed, with a conviction rate of 95%. Attorneys assigned to the Major Felony Bureau prosecute some of Monroe County's most dangerous criminals and are among the most seasoned prosecutors employed by the District Attorney's Office. Perry Duckles, the Chief of the Major Felony Bureau, oversees ten specialized prosecutors and reports directly to the First Assistant District Attorney Kelly Wolford. Veteran prosecutor Patrick Farrell serves as Deputy Chief of the bureau.

Bureau Chief Perry Duckles

Perry Duckles, Chief of the Major Felony Bureau, has been a member of the Monroe County District Attorney's Office since 2003. During that time, Mr. Duckles served in both the Local Courts Bureau and the DWI Bureau, becoming Chief of the DWI Bureau in 2009 where he compiled an impressive list of successful prosecutions. In January of 2012, Mr. Duckles was appointed Chief of the Major Felony Bureau by newly elected District Attorney Sandra Doorley, where he oversees the prosecution of some of the county's most violent crimes.



A native of Monroe County, Mr. Duckles has served as the liaison to the Rochester Police Department for all gang prosecutions and has lectured at the Police Academy on a variety of issues. He has also lectured at various continuing legal education programs for the Monroe County District Attorney's Office and New York Prosecutors Training Institute, and serves as the Office's primary liaison for several cross-organizational law enforcement initiatives. Mr. Duckles performed his undergraduate studies at the University of Buffalo and graduated from the SUNY Buffalo Law School.

III. The Monroe County District Attorney's Office

Non-Violent Felony Bureau

The Non-Violent Felony Bureau prosecutes felony cases that are not identified by the Penal Law as being violent offenses. These crimes include, but are not limited to, burglary, auto theft, grand larceny, felony criminal mischief, and fraud cases not prosecuted by another specialized bureau. In 2015, the Non-Violent Felony Bureau took in 1,007 new cases and closed 1,120 cases, with a conviction rate of 97%. Julie Hahn, the Chief of the Non-Violent Felony Bureau, oversees seven specialized prosecutors and reports directly to First Assistant District Attorney Kelly Wolford.

Bureau Chief Julie Hahn

Julie Hahn, Chief of the Non-Violent Felony Bureau, has been a member of the Monroe County District Attorney's Office since 1999. During that time, Ms. Hahn has served in the Local Courts, DWI, and Major Felony Bureaus, serving as Chief and Deputy Chief respectively during her career. In January 2012, Ms. Hahn was appointed Chief of the Non-Violent Felony Bureau by newly elected District Attorney Sandra Doorley, and her trial skills, organizational abilities, and experience in a wide variety of cases have served to fortify this important area of prosecution.



A native of Rochester, Ms. Hahn is a member of the Italian American Law Enforcement Officers of Greater Rochester, the Greater Rochester Association for Women Attorneys, and the Justinian Order of St. John Fisher College. In addition to these roles, she has served as a member of the faculty at St. John Fisher College and has taught courses for multiple law enforcement agencies within Monroe County, including the Rochester Police Department and the District Attorney's Office. Julie Hahn performed her undergraduate studies at St. John Fisher College and graduated from the SUNY Buffalo Law School.

IV. The Monroe County District Attorney's Office Motor Vehicle Theft & Insurance Fraud Prosecution Program

A subunit of the Non-Violent Felony Bureau, the Motor Vehicle Theft and Insurance Fraud Prosecution Program (MVTIF) targets the twin problems of motor vehicle theft and auto insurance fraud through a grant from the State of New York. Fully staffed and operational since 2004, the MVTIF Program prosecutes the majority of stolen vehicle and insurance fraud cases involving motor vehicles for the District Attorney's Office. The grant funding, which in 2015 totaled \$111,000, comes directly from the New York State Division of Criminal Justice Services (DCJS) and is used to partially fund the salaries of one full-time Assistant District Attorney and one District Attorney Investigator whose principal function is to prosecute MVTIF Program cases. Both the prosecutor and the investigator assigned to the project receive substantial levels of specialized training on a continuing basis regarding the techniques of auto thieves, the various and ever-changing scams in which they engage, and the best practices for successful investigations and prosecutions of offenders. In addition to the prosecutorial functions of the MVTIF Program, those assigned to the program also track and report the characteristics of stolen motor vehicles, including make, model, and geographic location of thefts, for use by local law enforcement agencies and for study by state organizations such as DCJS.

Funding received for this and all grants is included in the annual operating budget of the District Attorney's Office.

V. The Monroe County District Attorney's Office

Special Victims Trial Division

Formed in January 2012, the Special Victims Trial Division is a collation of four similar but independent bureaus that prosecute crimes committed against our community's most vulnerable victims while also remaining sensitive to the unique issues and dynamics associated with sexual assaults and abuse. Part of District Attorney Sandra Doorley's promise to renew the Office's commitment to victim rights and care, this newly created division includes the restructured Child Abuse Bureau, Sex Crimes Bureau, Domestic Violence Bureau, and Elder Abuse Bureau. Rather than consolidating these four important functions of the District Attorney's Office, the Special Victims Trial Division creates four independent bureaus while allowing prosecutors who specialize in certain areas of the law to receive direct support from colleagues with associated legal expertise and to utilize best practices to minimize the trauma suffered by victims of these crimes. The bureaus composing the Special Victims Trial Division collectively took in 779 new cases in 2015. The Division closed 787 cases, with an 89% overall conviction rate.

The twelve prosecutors of the Special Victims Trial Division are overseen by veteran Division Chief Mary Randall.

Division Chief Mary Randall

Mary Randall, Chief of the Special Victims Trial Division, returned to the Monroe County District Attorney's Office in 2012 after spending 11 years as an attorney in private practice concentrating on Family Court matters. In addition to her thorough understanding of Family Court, Ms. Randall has extensive experience in the criminal courts of Monroe County, having served as a prosecutor in the Monroe County District Attorney's Office for over a decade. In her previous tenure, Ms. Randall served in the Major Felony Bureau, where she was called upon to try some of the bureau's most challenging cases.



Mary Randall is a frequent lecturer for police training as well as an active member of the Monroe County Bar Association. In addition, she is active with several outreach organizations, including the Program Committee at Bivona Child Advocacy Center, the Domestic Violence Consortium, the Criminal Justice Section Committee, and the Rochester Against Child Abuse Network Committee. Ms. Randall performed her undergraduate studies in Criminal Justice at the Rochester Institute of Technology and received her Juris Doctor from the University of Dayton School of Law.

Child Abuse Bureau

Headed by Sara Vanstrydonck, the Child Abuse Bureau is responsible for prosecuting all cases involving the serious physical and sexual abuse of children, as well as crimes involving child neglect and/or endangerment. Prosecutors working within the Child Abuse Bureau work closely

with community and service organizations, including investigative agencies, child protective services, and local child advocacy centers to help children and their families navigate through the court system and minimize trauma to victims.

Sex Crimes Bureau

Headed by Elizabeth Buckley, the Sex Crimes Bureau investigates and prosecutes cases involving adult sexual assaults and other related crimes. This bureau comprises trial attorneys with specialized knowledge and training in sex crimes, and prosecutors who work for the Sex Crimes Bureau work closely with victim advocates who support the victim throughout the criminal process in an effort to minimize trauma.

Domestic Violence Bureau

Headed by William Gargan, the Domestic Violence Bureau is responsible for prosecuting cases involving crimes characterized as abuse between family members or intimate partners. Crimes that would typically be prosecuted by this bureau include the felony classifications of criminal contempt, aggravated family offenses, assault, stalking, kidnapping, criminal mischief, and burglary, in addition to related misdemeanor offenses. Prosecutors working within this bureau partner with many domestic violence consortiums and agencies at both the local and state level in an ongoing effort to support victims and reduce incidences of domestic violence. In 2015, District Attorney Doorley obtained state funding to hire a Domestic Violence Investigator who would assist with the prosecution of Domestic Violence cases by working as a liason with the victim throughout the court case proceedings. We are grateful to Senator Rick Funke who assisted our office in obtaining the funding for the Domestic Violence Investigator.

Elder Abuse Bureau

Headed by Monica O'Brien, the Elder Abuse Bureau prosecutes crimes against the elderly. This includes violent and nonviolent felonies with a focus on physical abuse, property crimes, and financial exploitation where the victim is targeted based on advanced age. This bureau works with various agencies, including the Victim Witness Bureau, to ensure that the needs of victims are being met throughout the criminal proceedings and beyond.



VI. The Monroe County District Attorney's Office

DWI Bureau

The DWI Bureau is responsible for prosecuting all defendants charged with Felony DWI, vehicular assault, and vehicular homicide, in addition to other crimes associated with the unlawful operation of a motor vehicle. Each year, hundreds of people across New York State, and many in Monroe County, are killed or permanently injured as the result of alcohol-related crashes. Working with police agencies throughout the county, the District Attorney's Office has implemented an aggressive prosecution policy toward DWI and crimes committed while operating a motor vehicle under the influence of alcohol. In 2015, the DWI Bureau took in 1034 new felony cases. The Bureau closed 939 cases, with a 99% conviction rate—among the best in New York State. Raymond Benitez, Chief of the DWI Bureau, oversees five specialized senior prosecutors and reports directly to Second Assistant District Attorney Tim Prosperi.

Bureau Chief Raymond Benitez

Raymond Benitez, Chief of the DWI Bureau, has been a member of the Monroe County District Attorney's Office since 2000. A former officer with the Rochester Police Department, Mr. Benitez has spent his sixteen year career as a prosecutor serving in both the Local Courts Bureau and the former Domestic Violence Bureau, as well as serving as an Assistant District Attorney in the DWI Bureau which he now heads. In addition to his current role, Mr. Benitez is the former Chief of the Gun Bureau and the former Chief of the Special Investigations Bureau, which are now consolidated. In January 2012, Mr. Benitez was selected to head the DWI Bureau by District Attorney Sandra Doorley due to his extensive experience as both a trial prosecutor and administrator.



Raymond Benitez has spent most of his life in Rochester and is a graduate of McQuaid Jesuit High School. He holds a Bachelor of Science from SUNY Buffalo's Jacobs School of Management and obtained his Juris Doctor from the SUNY Buffalo School of Law.

Leandra's Law

In October of 2009, eleven-year-old Leandra Rosado lost her life when the car she was riding in hit an obstruction and overturned on the Henry Hudson Parkway in New York City. Tests would reveal that the driver of the car, the mother of one of Rosado's young friends, was intoxicated when the crash occurred. Outraged by the incident, the New York State Legislature acted quickly, and the Child Passenger Protection Act, commonly known as Leandra's Law, was signed by the Governor less than five weeks later.

Leandra's Law makes it an automatic felony to drive drunk with a child passenger 15 years of age or less in the car, even for first time offenders. The law also forces anyone with a DWI conviction—misdemeanor or felony—to have an ignition interlock device installed in their car for a minimum

of 6 months, making New York one of only 21 states with such a requirement. This device, which is installed at the owner's expense, requires that the driver submit a breathalyzer sample before the vehicle can be started. In 2015, there were 56 arrests referred to the DA's Office for prosecution for violations of Leandra's Law in Monroe County.

An overwhelming number of people who use ignition interlocks report that these devices have positively changed their habits, a fact that will reduce the occurrence of these tragic and preventable accidents in New York State.

Pre-Trial Diversion

A critical part of the mission of all law enforcement officials in Monroe County is to avoid incidences of DWI while preventing those convicted from reoffending. To that end, defendants charged with Felony DWI who surrender their license and demonstrate a commitment to dealing with their alcohol problem may be offered the opportunity to participate in the Pre-Trial Diversion Program. If admitted to this program, participants receive counseling and other services to deal with their alcohol-related issues, and, if successful, are allowed to plead to misdemeanor rather than felony DWI charges.

In 2015, one hundred thirteen felony arrests were accepted into the Pre-Trial Diversion Program. Of that number, 95 completed the program, a success rate of 80.99%.

Driven to Distraction Program

Distracted driving is any activity that takes a driver's attention away from the primary task of driving. Typical distractions include use of cell phones for talking, texting, or GPS functions, eating, drinking, applying makeup, reading, watching videos, adjusting the radio, talking to children or other passengers, and dealing with pets moving throughout the vehicle. Using a cell phone while driving is believed to be three times more dangerous than driving while intoxicated. Statistics show that every year over 30,000 people die in motor vehicle crashes in the United States and more than 10% of those fatal crashes are caused by distracted drivers.

District Attorney Sandra Doorley, together with retired Greece Police Officer Phil Schultz and the University of Rochester Medical Center, started a unique education program to address the dangers of distracted driving. When an individual in Monroe County receives a ticket for the use of a cell phone while driving or texting while driving, they are offered the opportunity to attend a 4 hour course entitled "Driven to Distraction", a court diversion program which offers local courts the opportunity to educate violators about the dangers associated with distracted driving. The course uses a combination of lectures, videos, and interactive exercises which are designed to help the students understand legal, medical, and personal issues that can arise as a result of driving while distracted.



In 2015, the Driven to Distraction Program had 1,523 participants and donated \$15,000 to Causeway Community Partners to assist them with their anti-distracted driving campaign.

VII. The Monroe County District Attorney's Office

Special Investigations Bureau

The Special Investigations Bureau is responsible for the prosecution of all felony drug and gun cases, the acquisition of court orders for wiretaps, and for coordinating with arresting agencies to seize the assets of convicted drug dealers. In January of 2012, as part of her internal reorganization of the bureau structure, District Attorney Doorley moved the prosecution of crimes involving guns from the Major Felonies Bureau to the Special Investigations Bureau. The Special Investigation Bureau works closely with federal law enforcement agencies such as the Drug Enforcement Administration (DEA) and the U.S. Attorney's Office, with each organization providing support and working collaboratively to determine if defendants charged with drug and gun related crimes are best prosecuted at the state or federal level. In 2015, the Special Investigations Bureau took in 779 new felony cases. The Bureau closed 787 cases, with an 89% conviction rate. Matthew Schwartz, the Chief of the Special Investigations Bureau, oversees seven specialized prosecutors and reports directly to Second Assistant District Attorney Timothy Prosperi.

Bureau Chief Matthew Schwartz

Matthew Schwartz, Chief of the Special Investigations Bureau, served as an Assistant District Attorney in Schenectady County for 2 ½ years before joining the Monroe County District Attorney's Office in 2004. Since that time, Mr. Schwartz has served as an Assistant District Attorney in the Local Courts Bureau, the Non-Violent Felony Bureau, and the Major Felony Bureau before becoming Deputy Chief of the Special Investigations Bureau in 2010. In January 2012, District Attorney Doorley selected Mr. Schwartz as Chief of the newly restructured Special Investigations Bureau due to his extensive knowledge of both drug and gun prosecutions, as well as his significant trial experience. In addition to his work at the District Attorney's Office, Mr. Schwartz has taught on a variety of subjects for the New York State Prosecutors Training Institute (NYPTI), and was recently recognized by the Federal Drug Enforcement Administration for his instrumental role in their investigations within Monroe County.



Matthew Schwartz performed his undergraduate studies at the State University of New York at Geneseo. He is a 2001 graduate of Albany Law School and has been admitted to practice law in both New York and Massachusetts.

PROJECT EXILE

Implemented in Monroe County in 1998, Project EXILE is a Federal program designed to shift prosecutions of illegal gun possession offenses to federal Courts, where such crimes carry a mandatory minimum sentence under the Gun Control Act of 1968, rather than in State Courts, which have lesser penalties for such crimes. Project EXILE operates under the direction of the Project Exile Advisory Board, of which the Monroe County District Attorney's Office is a member, along with representatives from county, state, and Federal law enforcement agencies as well as businesses, clergy, and various other community stakeholders. Gary Mervis, the founder of Camp Good Days and Special Times, has served as Chairman of the Advisory Board since EXILE's founding and is recognized as being the driving force behind the program's creation and implementation in Monroe County. The Project Exile Advisory Board meets once per month to share information and improve communications among those who are waging the battles against illegal guns and gun violence in our community.

VIII. The Monroe County District Attorney's Office Economic Crime Bureau

The Economic Crime Bureau prosecutes cases of major fraud—generally defined as fraud involving amounts in excess of \$10,000—perpetrated against citizens, businesses, and organizations within Monroe County. These include felony level cases of identity theft, stolen and counterfeit checks, credit card and currency rings, insurance fraud, and welfare fraud, in addition to so-called “white collar” crimes such as embezzlement or investment scams. Together with cases of fraud victimizing private persons and institutions, the Economic Crime Bureau also prosecutes cases of tax fraud and tax evasion through the grant-funded Crimes Against Revenue Program (CARP), designed to return stolen revenue to the state. In 2015, the Economic Crime Bureau took in 189 new felony cases. The Bureau closed 181 cases, with a 99% conviction rate. Mark Monaghan, the Chief of the Economic Crime Bureau, oversees two specially trained prosecutors and reports directly to First Assistant District Attorney Kelly Wolford.

Bureau Chief Mark Monaghan

Mark Monaghan, Chief of the Economic Crime Bureau, has been a member of the Monroe County District Attorney's Office since 2002. Beginning his prosecutorial career in the Local Courts Bureau, Mr. Monaghan has served as an Assistant District Attorney in the Domestic Violence Bureau, DWI Bureau, and Non-Violent Felony Bureau, where he served as a trial assistant to the Economic Crime Bureau before becoming its



chief in January 2012. Prior to coming to the District Attorney's Office, Mr. Monaghan spent two years as a staff attorney with the Legal Aid Society of Rochester's Domestic Violence Program.

Born and raised in the Town of Greece, Mark Monaghan completed his undergraduate studies at SUNY Geneseo, where he majored in history and political science before attending Indiana University's Maurer School of Law, graduating in 1999.

The New York State

CARP

Crimes Against Revenue Program

No one enjoys paying taxes, but without them, the institutions and infrastructure that we rely on each day would not be possible. Though we pay our taxes to the State, in reality, we are paying them to our neighbors, to our children, and to ourselves, and as citizens, we share the responsibility to at least attempt to meet our obligations under the law. Unfortunately, some among us would like to make their taxes your problem. Make no mistake—when someone embezzles sales tax revenue or deliberately evades paying their taxes, they are shifting their tax burden onto others and are stealing from everyone in the State. Like any theft, tax evasion is a crime.

The New York State Crimes Against Revenue Program (CARP) is a grant funded program designed to hold accountable those who deliberately fail to pay tax obligations, as well as those who commit Medicaid, welfare, unemployment and workers' compensation fraud. Administered by the NYS Division of Criminal Justice Services and introduced in Monroe County in 2005, the program provides grants to District Attorney's offices across the state giving them the personnel they need to adequately investigate and prosecute such cases. All taxes, such as excise, sales, and income tax, are subject to CARP activities, with criminal investigations focusing on individuals, corporations and industries alike. Such investigations, which are designed to return tax revenue to the State of New York, often uncover complex financial fraud and tax evasion schemes encompassing major criminal enterprises.

CARP is a self-sustaining program, supported with the proceeds realized from investigations resulting in tax revenues, fines and restitution that are returned to the State. The program funds related prosecutorial and investigative activities in district attorneys' offices within New York State that routinely report the highest income tax revenues, including Monroe County.

CARP Restitution Totals:

Year	Revenue	Data Source
2005	\$82,634.00	DCJS Report 11-12-08
2006	\$57,781.00	DCJS Report 11-12-08
2007	\$20,859.00	DCJS Report 11-12-08
2008	\$140,112.03	MCDA Reporting - Tra Heller
2009	\$489,730.88	MCDA Reporting - Tra Heller
2010	\$518,170.81	MCDA Reporting - Tra Heller
2011	\$550,562.85	MCDA Reporting - Tra Heller
2012	\$494,929.39	MCDA Reporting - Tra Heller
2013	\$594,109.81	MCDA Reporting - Tra Heller
2014	\$742,927.21	MCDA Reporting - Tra Heller
2015	\$608,376.31	MCDA Reporting - Tra Heller
TOTAL	\$4,300,193.29	

IX. The Monroe County District Attorney's Office Appeals Bureau

The Appeals Bureau handles all criminal appeals and motions for post-conviction relief and assists prosecutors assigned to other bureaus. The Appeals Bureau also handles all fugitive matters, extradition cases, Federal Habeas Corpus requests, and Freedom of Information Act inquiries submitted to the District Attorney's Office through the county. In addition to these core functions, the Appeals Bureau is also responsible for bringing actions against judges for exceeding their authority. Prosecutors assigned to this bureau argue cases before all appellate courts, including the US Supreme Court, and are recognized as being among the most experienced and knowledgeable attorneys with regard to the complexities of criminal practice. In 2015, the Appeals Bureau had hundreds of convictions affirmed by various appellate courts. Stephen X. O'Brien, the Chief of the Appeals Bureau, oversees six specialized prosecutors and reports directly to First Assistant District Attorney Kelly Wolford. Geoff Kaeuper serves as Deputy Chief of the Bureau.

Bureau Chief Stephen X. O'Brien

Stephen O'Brien, Chief of the Appeals Bureau, has been a member of the Monroe County District Attorney's Office since 2001 and has served in the Appeals Bureau for the duration of that time, first as an Assistant District Attorney, and then as Deputy Bureau Chief. In January, 2012, Mr. O'Brien was appointed Chief of the Appeals Bureau by newly-elected District Attorney Sandra Doorley based on his comprehensive understanding of appellate law and his many years of experience successfully defending the People's hard-won convictions.



A native of Rochester, Stephen O'Brien is a veteran of the United States Air Force and worked for a number of years as a prosecutor in East St. Louis, Illinois and as a private sector litigator before returning to public service at the Monroe County District Attorney's Office. O'Brien has been a member of the adjunct faculties of St. John Fisher College and SUNY Geneseo. He completed his undergraduate studies at SUNY Brockport and later graduated with honors from St. Louis University School of Law.

X. The Monroe County District Attorney's Office

Local Courts Bureau

The Local Courts Bureau prosecutes all misdemeanor and violation-level offenses in city court, as well as in the 23 courts located throughout the towns and villages of Monroe County. Prosecutors assigned to this bureau staff seven City Court "Parts", as well as Drug, DWI and Mental Health Courts. In addition to these duties, those assigned to town and village courts are responsible for traffic related matters. In 2015, the Local Courts Bureau took in 18,400 cases—not including criminal violations or traffic tickets. Due to the number of courts and tremendous volume of cases, the Local Courts Bureau is assigned the largest number of attorney staff of the twelve bureaus comprising the District Attorney's Office. Bureau Chief Ann Chase oversees 17 prosecutors and reports directly to First Assistant District Attorney Kelly Wolford. Veteran prosecutor Matthew Dunham serves as Deputy Chief of the bureau.

Bureau Chief Ann Chase

Ann Chase, Chief of the Local Courts Bureau, has been a member of the Monroe County District Attorney's Office since 1988. Over the course of her career, Ms. Chase has been assigned to the Local Courts Bureau, Non-Violent Felony Bureau and the Special Investigations Bureau, serving as Deputy Chief of both Special Investigations and Local Courts before being appointed Chief of the Local Courts Bureau



in 2009. During her 27 year career, Ms. Chase has prosecuted hundreds of felony cases, including numerous homicide cases.

A native of Penfield, NY, Ms. Chase has worked as a law clerk for the United States Magistrate for the Western District of Arkansas, the Social Security Administration in Buffalo, and Hiscock Legal Aid Society in Syracuse before coming to the Monroe County District Attorney's Office.

In addition to her work as a prosecutor, Ms. Chase is involved in several civic and community organizations including the Domestic Violence Consortium, Partners in Restorative Initiatives (PIRI), Organized Retail Theft, and the Boys & Girls Club of Rochester.

Ann Chase is a graduate of Penfield High School, performing her undergraduate studies at St. John Fisher College before graduating with honors from the University of Arkansas Law School.

XI. The Monroe County District Attorney's Office Grand Jury Bureau

The Grand Jury Bureau is responsible for empaneling Monroe County's one part-time and one full-time Grand Juries and for scheduling all cases that are presented to the Grand Jury for indictment. The Chief of the Grand Jury Bureau advises prosecutors on presentation procedures and techniques, and works closely with the Office of the Commissioner of Jurors to ensure the smooth operation of the empaneled Grand Juries during the year's many court terms. In addition to these duties, the Bureau Chief personally presents hundreds of cases to Grand Jury each year. In 2015, the two seated Grand Juries in Monroe County handed down 1,474 felony indictments. Michelle Crowley, Chief of the Grand Jury Bureau, oversees and coordinates the work of four full time and two part time Grand Jury stenographers and two clerks who provide support to the Assistant District Attorneys presenting cases for indictment. The Chief of the Grand Jury Bureau reports directly to Second Assistant District Attorney Timothy Prosperi.

Bureau Chief Michelle Crowley

Michelle Crowley, Chief of the Grand Jury Bureau, returned to the Monroe County District Attorney's Office in 2012 after serving in the Ontario County District Attorney's Office. Crowley began her career as a prosecutor in Orange County where she was the head of the Domestic Violence Unit before moving to Monroe County in 2002, becoming one of the Major Felony Bureau's top prosecutors. In her 18 year career, Ms. Crowley has prosecuted hundreds of violent felony cases, including homicides.



Crowley, who's official title is *Director of Attorney Training and Grand Jury*, is responsible for ensuring that prosecutors working within the office comply with the continuing legal education requirement mandated by the State of New York for all practicing attorneys. In this role, Crowley works with Assistant District Attorneys both individually and in groups providing comprehensive

and consistent training in an effort to leave them in the best position possible to obtain convictions and ensure the safety of the community.

A native of Elmira, New York, Ms. Crowley performed her undergraduate studies at Ithaca College and completed her Juris Doctorate at the Albany School of Law.

The Grand Jury Process

Each year in Monroe County, over 5000 defendants face felony charges for a variety of crimes ranging from falsifying business records to intentional murder, with many eventually going to trial. Before such a trial can occur, however, a group of citizens must review the charges being brought against the defendant to ensure that they are both appropriate and are supported by available evidence. This group of citizens, called a Grand Jury, is empowered to sustain the charges suggested by prosecutors by returning an indictment, or to dismiss the charges all together. Approximately half of the states in the U.S. employ grand juries and twenty-two require their use, including New York State.

Dictated by Article 190 of the New York State Criminal Procedure Law, a Grand Jury consists of no less than 16 jurors and no more than 23. Grand jurors are drawn from the same pool of potential jurors as trial juries and are seated in a procedure called empaneling.

The prosecutor acts as the legal advisor to the Grand Jury, presenting evidence and witness testimony for the Grand Jury's review. Grand Jury proceedings, however, differ from traditional trial proceedings in several important ways. First, there is no judge or defendant present at Grand Jury proceedings. Instead, the prosecutor, who drafts the charges and reads them to the Grand Jury, presents evidence and questions witnesses to demonstrate the appropriateness of the charges. At the conclusion of the presentation of evidence and witness testimony, the Grand Jury can vote to indict, meaning to charge the defendant with a crime, or "no bill", meaning not to charge, in which event the case is permanently sealed and the charges are dismissed. A Grand Jury does not decide whether the subject of an investigation is guilty or innocent, only if there is sufficient evidence to support the charges. Unlike a trial, the burden of proof for prosecutors in Grand Jury proceedings is "reasonable cause to believe" that an individual committed a crime, as opposed to the burden of "proof beyond a reasonable doubt" which guides trial juries. In addition to voting to indict or dismiss a case, the Grand Jury may also direct the prosecutor to file an "information" accusing the subject of a lesser offense, and refer a matter to a lower court.

Confidentiality is an important aspect of Grand Jury proceedings as well. Each grand juror and the prosecutor is sworn to secrecy, ensuring that the Grand Jury is able to deliberate free of outside pressure and that those possessing information about a crime are able to speak freely. The confidentiality of the Grand Jury process also protects those who the Grand Jury determines have not committed a crime from public disclosure of the fact that he or she was being investigated.

Each year, the Monroe County District Attorney's Office Grand Jury Bureau empanels 24 Grand Juries, for terms lasting up to 30 days. During their empanelment, a single Grand Jury can hear up to 200 cases.

XII. The Monroe County District Attorney's Office Victim Witness Bureau

Each year, thousands of people become victims of crimes, and for many, the sometimes confusing nature of the criminal justice system, coupled with the physical, emotional, and financial trauma resulting from their victimization, can be devastating. The Victim Witness Bureau assists victims and witnesses of serious crimes by helping them cope with the demands of the criminal justice system after what is often a frightening and life-altering event. In addition to promoting the rights of victims throughout the process and assisting victims in understanding those rights, the Victim Witness Bureau makes referrals to counseling, helps arrange transportation for court proceedings, provides interpreters, assists in preparation of victim impact statements, files parole notifications, and makes referrals for financial and support assistance from the NYS Office of Victim Services. Members of the bureau meet with witnesses, victims and their families on a regular basis and frequently accompany them to and from court proceedings, explaining the process and keeping victims and their families cognizant of events relating to their case. The Victim Witness Bureau also works closely with the District Attorney's Office and Probation to obtain court orders for the restitution of losses.

Victim Witness Advocates employed by the bureau maintain close relationships with local and regional service providers and attend training offered by various criminal justice and human services agencies and well as review current materials relevant to victim assistance. Members of the Victim Witness Bureau also regularly promote community education through speaking engagements and by distributing literature at events.

Carrie Noble, Chief of the Victim Witness Bureau, oversees and coordinates the work of five full time victim advocates and keeps the District Attorney informed of all matters relating to victims in criminal cases. The Chief of the Victim Witness Bureau reports directly to District Attorney Sandra Doorley, who upon taking office in January 2012, made reorienting the District Attorney's Office toward victim advocacy and support a top priority. The Victim Witness Bureau is a grant funded program, receiving annual funding from the NYS Office of Victim Services.

Bureau Chief Carrie Noble

Carrie Noble, Chief of the Victim Witness Bureau, joined the Monroe County District Attorney's Office in 1996 as a Senior Victim Advocate before accepting the role of Bureau Chief in 2004. Prior to coming to the District Attorney's Office, Ms. Noble served for nearly a decade in both Child Support Enforcement and in Child Protective Services in Monroe County.



A native of Westchester, Carrie Noble moved to Monroe County as a child, graduating from Brighton High School before attending the State University of New York at Brockport, where she majored in Social Work. In addition to her daily work on behalf of crime victims, Ms. Noble is a member of both the Monroe County/Rochester and Western NY Coalition for Crime Victims and is active with Girl Scouts of Western New York.

XIII. The Monroe County District Attorney's Office District Attorney Investigators Bureau



The District Attorney Investigators Bureau is composed of thirteen designated, sworn police officers tasked with conducting critical investigative work designed to supplement and enhance the prosecutorial efforts of the District Attorney's Office. These investigative tasks include but are not limited to witness cultivation, witness location and interviewing, enhanced crime scene analysis, subpoenas, Material Witness Arrest Orders, and witness protection and relocation. In addition to these key functions, District Attorney Investigators conduct sealed investigations under the direction of the District Attorney, including cold-case, Official Misconduct and Public Corruption investigations. District Attorney Investigators provide support services to every bureau within the office.

In 2015, District Attorney Investigators served 24,074 subpoenas, conducted 17,322 interviews, located 1,586 missing witnesses, provided 1,944 witness transports and worked on 34 Material Witness Arrest Orders.

Mark Kelley, Chief Investigator, oversees and coordinates the work of all Investigator staff and reports directly to District Attorney Sandra Doorley. Members of the District Attorney Investigators Bureau are seasoned law enforcement professionals with no less than 20 years of experience in various police agencies.

Chief Investigator Mark Kelley

Chief Investigator Mark Kelley has been a member of the Monroe County District Attorney's Office since 1978, serving in numerous Investigator positions before being named Chief Investigator in 1992. A career employee of the DA's Office, Mr. Kelley has served as the Child Abuse Coordinator, District Attorney polygraphist, and DA Investigator assigned to the Economic Crimes and Major Felony Bureau before assuming the role of Chief.



Originally from Maine, Mark Kelley came to Monroe County at a very young age, settling with his family in Pittsford. Kelley graduated from Pittsford Sutherland High School before attending the Rochester Institute of Technology, where he majored in Criminal Justice. In addition to his collegiate education, Mr. Kelley is a graduate of the Monroe County Public Safety Police Academy, Polygraph School, and has attended dozens of rigorous training programs to both enhance his abilities as an investigator and to achieve and maintain a variety of qualifications.

The Monroe County District Attorney's Office

Investigator Staff



Senior Investigator Robert Siersma brings more than 40 years of law enforcement experience to the Monroe County District Attorney's Office. A member of the Rochester Police Department for 30 years, Siersma retired in 2000, and became a District Attorney Investigator in 2001, where he now manages CODIS and Major Felony investigations. A former homicide investigator, Siersma directly supervises ten District Attorney Investigator Staff.



Confidential Homicide Coordinator C.J. Dominic joined the Rochester Police Department in the Spring of 1986. He spent the last 6 years of his career serving as an Investigator in the Major Crimes Unit investigating homicides, and had a particular interest in working on cases that involved DNA analysis. After a 25 year career with the RPD, Dominic joined the District Attorney's Office in February 2011, where he served as a Violent Felony Offense Investigator until 2014, when he was promoted to his current position. As Confidential Homicide Coordinator, Dominic assigns homicide cases to DA Investigators and acts as a liaison between the District Attorney's Office and the police agencies.



Beginning his law enforcement career as an Army MP, **Investigator Gary Schultz** spent 21 years with the Rochester Police Department in the Intelligence Unit and as a Homicide Investigator before coming to the District Attorney's Office in 1995. Unlike most DA Investigators who serve the office at large, Investigator Schultz is assigned to the Special Victims Trial Division and conducts the bulk of the investigative work for the Child Abuse and Domestic Violence Bureaus.



Joining the Rochester Police Department in 1969 at age 20, **Investigator Joseph Spagnola** spent 28 years with the department, a majority of which was spent as an investigator assigned to the Downtown portion of the City. During his tenure with RPD, Spagnola took part in thousands of investigations, including the Arthur Shawcross murders during the late 1980's. Spagnola came to the District Attorney's Office in 1997, where he now works as a Violent Felony Investigator.



A 36 year law enforcement professional, **Investigator Paul Boccacino** joined the Rochester Police Department as a Uniform Patrol Officer in 1977. Over the next 26 years, Boccacino would serve in numerous capacities within RPD including SWAT Team leader and as an officer in the RPD Tactical Section as well as serving in dozens of undercover operations. In addition to these responsibilities, Boccacino assumed many high level administrative roles and served as part of a multi-agency Federal violent crime task force. Retiring from RPD in 2003, Investigator Boccacino came to the District Attorney's Office, where he now serves as a Violent Felony Investigator.



A lifelong police officer, **Investigator Rick Gosnell** joined the Rochester Police Department in 1968 after entering the police training program at 18 years of age. In 1971, he was sworn in as a Police Officer. During his 34 years with RPD, Gosnell served in patrol, the Technician Unit and as a K-9 Officer. In 1987, he was promoted to Sergeant, where his assignments included patrol, as well as the Crime Analysis, Technicians and Major Crimes Units. In 2005, Gosnell retired from the RPD to become a District Attorney Investigator, where he now serves the community by locating witnesses, conducting photo arrays, collecting DNA swabs, serving subpoenas, and taking statements.



Investigator Sam Soprano joined the Monroe County Sheriff's Office in 1984, where he served with distinction for 3 years before joining the Irondequoit Police Department in 1987. Promoted to investigator after 8 years of service, Soprano, in cooperation with the Brighton Police Department, was the lead investigator on one of the first cases in Monroe County history solved using the CODIS DNA databank. Retiring from Irondequoit PD following 20 years of service, Soprano came to the District Attorney's Office in 2007 where he now serves as a Violent Felony Offense Investigator.



Investigator Glenn Weather began his career with the Rochester Police Department in 1987, eventually becoming assigned to the Tactical Unit and the Vice Squad before spending 15 years as a homicide investigator. During his time in the Homicide Unit, Weather worked several hundred cases including two serial murder investigations, and was featured on the nationally televised series "Crime 360" on A&E. Weather retired from the RPD in 2011 to join the District Attorney's Office, where he now serves as a Violent Felony Offense Investigator.



Investigator Joseph Dominick joined the Monroe County Sheriff's Office in 1984 as a Patrol Deputy and transitioned to the Rochester Police Department 24 months later. In 1995, Dominick was promoted to investigator and would spend the next 13 years with the RPD serving as a Homicide Investigator, Public Information Officer, and Child Abuse Investigator before retiring in 2008. Investigator Dominick then spent the next several years working in private-sector security and investigation before joined the District Attorney Investigators in early 2012.



Investigator Norberto Torrez began his law enforcement career as a member of the Rochester Police Department in 1982, where he served as a uniform patrol officer before joining the RPD Tactical Unit in 1986. Over the next 20 years, Investigator Torrez served in several capacities within RPD, retiring as a Field Intelligence Officer in late 2012 before joining the District Attorney Investigators a short time later.



Investigator Dale Pascoe proudly served our nation in the United States Marine Corps. He began his law enforcement career as a member of the Rochester Police Department in 1991, where he spent the majority of his time on the streets, working in an undercover capacity. He was assigned to the Tactical Unit and Special Investigations Section. He ended his RPD career while holding the position of Interim Director of the Office of Public Integrity. Investigator Pascoe joined the District Attorney's Office in August of 2013.



Investigator Doug Boccardo worked as a Monroe County sheriff and as a Fairport police officer before joining the Rochester Police Department in 1985. Boccardo worked for over 30 years with the Rochester Police Department; he was promoted to investigator after 3 ½ years and he investigated violent crimes, including a cold case murder that culminated with an arrest and conviction. He served as a hostage negotiator for 15 years. In 2014, he negotiated a peaceful ending after a suspect fired gunshots at police officers as he held a young girl hostage. Boccardo retired in 2015 to join the District Attorney's Office as an investigator.

CASES PROSECUTED

People v. Thomas Johnson



District Attorney Sandra Doorley, Special Assistant District Attorney Brian Green and Deputy Bureau Chief of Appeals, Geoffrey Kaeuper

On the evening of September 3, 2014, Rochester Police Officer Daryl R. Pierson, an eight-year member of the Department at the time and an Army and National Guard veteran, was on patrol as a member of the RPD Tactical Unit in NW Rochester. He and his partner, Officer Michael DiPaola, were searching for a person who had fled from a vehicle at a traffic stop only moments before. At 9:24 p.m., Officers Pierson and DiPaola observed a person walking northbound on Hudson Avenue., matching the description provided to them, as they travelled southbound. As Officer DiPaola stopped the patrol vehicle, that person, later identified as Thomas Johnson, fled and Officer Pierson gave chase.

As Officer Pierson grabbed Thomas Johnson's shoulder at the conclusion of a two block foot chase, Johnson turned and fired one shot from a defaced .25 caliber semi-automatic pistol, striking Officer Pierson under the chin from close range. Officer Pierson's collapse from the gunshot caused both him and Johnson to fall. Johnson's gun fired again, accidentally, during the fall, before Johnson stood and began to flee again. That second gunshot injured an innocent bystander.

Officer DiPaola, paralleling the foot chase in his patrol vehicle, immediately stopped the vehicle after the gunshots and began his own foot chase of Johnson. Johnson clearly attempted to shoot Officer DiPaola during that foot chase. Showing incredible valor, determination and restraint, Officer DiPaola followed Johnson until able to take a clear and safe shot, and fired one round from his service weapon, striking Johnson in the lower back. Officer DiPaola then covered the disarmed and wounded Johnson until backup officers arrived on scene, while other RPD officers responded to Officer Pierson's location and transported him to Rochester General Hospital. Tragically, Officer Pierson passed away at RGH despite the prolonged and heroic efforts of the amazing medical staff there.

The members of the Rochester Police Department's Major Crimes Unit led a difficult, extraordinary and thorough investigation into the murder of Officer Pierson. That investigation continued up until and during trial with the continued assistance of RPD Major Crimes, as well as assistance from investigators at the District Attorney's Office.

District Attorney Sandra Doorley and Assistant District Attorneys Brian Green and Geoffrey Kaeuper tried the case before Justice Thomas Moran in the New York State Supreme Court for Monroe County in April and May of 2015. During the three week trial, DA Doorley and her team presented more than sixty witnesses and many types of evidence including eye-witness testimony, expert testimony, several videos of the incident, audio recordings of the gunshots captured by ShotSpotter (a city-wide audio capture system) DNA, ballistics, and other forensic evidence.

On May 8, 2015, a jury found Johnson guilty on all counts of the indictment related to Officers Pierson and DiPaola, and the weapon Johnson used. Johnson stands convicted of Aggravated Murder of a Police Officer and Attempted Aggravated Murder of a Police Officer, as well as Criminal Possession of a Weapon in the Second Degree and two counts of Criminal Possession of a Weapon in the Third Degree. Johnson also stands convicted of Assault in the Second Degree for the accidental shooting of the innocent bystander.

On July 16, 2015, Justice Moran sentenced Johnson to life in prison without the possibility of parole for the murder of Officer Pierson. Additionally, Justice Moran sentenced Johnson to forty years to life for the attempted murder of Officer DiPaola, to run consecutive to Johnson's first life sentence. Justice Moran also sentenced Johnson to ten years in prison for Criminal Possession of a Weapon in the Second Degree and five years in prison for Assault in the Second Degree, both to run consecutively to the other sentences imposed. Johnson also received three to six years in prison for the Criminal Possession of a Weapon in the Third Degree conviction, to run concurrent to the sentence on the Criminal Possession of a Weapon in the Second Degree conviction. In effect, Johnson is serving life without parole, plus an additional fifty-five years to life.

Officer Daryl R. Pierson served his country and his community proudly and tirelessly, and made the ultimate sacrifice. He is survived by his wife Amy, and his two young children, Christian and Charity, as well as his parents, Steve and Deborah, his siblings, Patty, Brett and Julie, and many other extended family members.

Officer Pierson has been honored in many ways, including the renaming of the U.S. Post Office in East Rochester, where he grew up and then lived with his own family, in his memory. Brett Pierson and Patty Pierson have also chosen to honor their brother by continuing in his legacy of public service; since their brother's passing Brett has become a police officer in East Rochester and Patty has become an emergency medical technician.

People v. Anthony Ortiz

Special Assistant District Attorney Julie Hahn



On December 31, 2013, a New Year's Eve party was being held at 585 Records, a recording studio. The studio is located on the second floor of the multi-use building at 55 Lois Street in the City of Rochester. The party was being held for artists who record at the studio. Two of those artists who attended the party were 23-year-old Terrance Beatty and 27-year-old Brandon Pearce.

At approximately 1:41 a.m., an outside surveillance camera shows 19 year old Anthony Ortiz arriving at the party with his friend Scott Davis. Davis knew someone who was already at the party, and the two were able to get in. During the course of the party, a camera is passed around to take photos of people who were there. Several of those photos show Anthony Ortiz with Terrance Beatty and Brandon Pearce and other partygoers.



Beatty and Pearce did not know Anthony Ortiz. Pearce knew Ortiz's friend, Scott Davis, and that is how they got into the party and ended up in photos with the victims.

At approximately 3:00 a.m., a fight breaks out on the dance floor. One of the partygoers, Yolanda Washington, was standing close to the doorway that leads to the staircase and building exit. When the fight breaks out, she tries to get the attention of her friend so they can leave. Standing near her is Anthony Ortiz. She sees him pull a chrome handgun from his coat pocket. She moves to the top landing area of the staircase and sees Ortiz with the gun out. Ortiz tells her to step aside, and she pleads with him not to start shooting.

At that point, Ortiz's friend, Scott Davis, runs down the stairs. The defendant follows behind him. Terrance Beatty and a few other people emerge from the party and start to go down the staircase. Ms. Washington tells them not to go down the stairs because there is a guy with a gun. No one hears her. She sees Ortiz get to the bottom of the stairs, turn around and point the gun up the stairs where people are coming down behind him. She moves out of the line of fire and hears a shot. Terrance Beatty's cousin, Raheen Tribble, was about halfway down the stairs when he saw Terrance turn the corner into the vestibule; then he heard the shot. After he sees Terrance's feet at the bottom of the stairs, he runs down and stays with him until he dies a few moments later. Terrance sustained a gunshot wound to the chest.

Outdoor video surveillance cameras captured the defendant exiting the building with a gun after Terrance Beatty was shot and also captured him shooting in the direction of the door when Brandon Pearce opened it. Additionally, photos taken of the defendant while inside the party showed what the defendant was wearing and matched what was displayed on the surveillance videos. Rochester Police Department homicide investigators were able to determine the defendant's identity and arrested him on January 2, 2015. The defendant was interviewed that day and denied ever being at the party. When confronted with photos of himself at the party, he continued to deny ever being there.

The defendant, Anthony Ortiz, was convicted after a jury trial in Monroe County Court of Murder in the Second Degree, Assault in the Second Degree, and two counts of Criminal Possession of a Weapon in the Second Degree. He was sentenced to 30 years to life. The case was prosecuted by Special Assistant District Attorney Julie Hahn. Ortiz was on parole at the time of this homicide for Attempted Criminal Possession of a Weapon in the Second Degree, and had just been released from state prison twelve days before he shot and killed Terrance Beatty.

People v. Rasaan Taylor

Non Violent Felony Bureau Chief Julie Hahn and Senior Assistant District Attorney
Laura Vanderbrook



On January 31, 2014, at approximately 11:00 p.m., 21-year-old Samuel Gibson and his identical twin brother Josh entered the S & S Market at 199 Lyell Avenue in the City of Rochester. They were looking for someone inside the store. Moments before the Gibsons entered the store, 15- year-old Rasaan Taylor and his friend Craig Stanford had gone to the store, and proceeded to walk back. Soon after the Gibsons entered the store, they saw that the person they were looking for was not there, and turned around to leave. At that time, Craig Stanford yelled

at them, causing Samuel to turn around and walk to the back of the store with Josh following him. As the Gibsons were walking toward the back of the store, the defendant pulled a sawed-off shotgun from his pants and watched as Sam Gibson came closer. When Sam got to the back of the store, a brief tussle occurred between Sam and Craig. The defendant raised the sawed-off shotgun and shot Sam in the chest at close range. The defendant and Craig Stanford ran out of the store. Sam fell to the floor and died as a result of a gunshot wound to the heart.

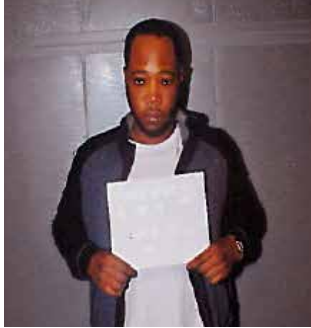
The entire incident was captured on store surveillance video. Police searched the area for the shooter, but were unable to locate him. They did recover a sawed-off shotgun in the backyard of a house near the crime scene. Rasaan Taylor was soon identified as the shooter through an investigation conducted by the Major Crimes Unit of the Rochester Police Department, and he was arrested in February 2014.



The defendant was convicted after trial in Monroe County Court of Manslaughter in the First Degree and sentenced to three and one half to 10 years in state prison as a Juvenile Offender. The case was prosecuted by Special Assistant District Attorney Julie Hahn and Assistant District Attorney Laura Vanderbrook.

People vs. Clifford Salters

Senior Assistant District Attorneys Greg Colavecchia and Greg Clark



In the late afternoon hours of August 21, 2014, Clifford Salters and Lawrence Morgan came face-to-face in front of 14 Straub Street in the City of Rochester. The two men had been feuding for months. According to family and friends, their dispute began over the ownership of a tricked-out 1987 Buick sedan, but this feud was about respect. Salters and Morgan argued back and forth in the middle of the street. One eyewitness told Rochester Police investigators that the argument appeared to be at its end, both men going their separate ways, when Morgan balled up his fists and charged at Salters. Salters turned and, in

broad daylight, shot Lawrence Morgan. Morgan fell to the ground. Clifford Salters then walked over to where Lawrence lay, and shot him again.

Emergency responders brought Lawrence Morgan to Strong Memorial Hospital for emergency surgery. Morgan had bullet wounds to his abdomen, leg and groin. One of the bullets had shattered his femur and partially severed the femoral artery in his leg, causing massive bleed loss. Surgeons repaired the damage to Morgan's leg, but could not reverse the damage to his brain. Lawrence Morgan's physical body remained on life support for a couple days to give his family members an opportunity to say goodbye, but he had truly died on August 21, when his blood poured out all over the sidewalk in front of 14 Straub Street, depriving his brain of oxygen.



A dedicated team of Rochester Police investigators uncovered surveillance video from a nearby apartment building showing the events immediately leading up to the crime. More video from a private homeowner's security system showed Salters fleeing from the scene. Although the video footage did not depict the shooting, police pieced together the puzzle of that day's events. Investigators tirelessly interviewed people in the neighborhood, and eventually located witnesses brave enough to come forward and testify to this brazen daylight shooting. Close associates of Salters eventually came forward, telling the police of his confessions to them.



On September 5, 2014, members of the Greece Police Department took Clifford Salters into custody. The Monroe County Grand Jury subsequently indicted him on one count of Murder in the Second Degree.

Assistant District Attorneys Greg Colavecchia and Greg Clark prepared the case for trial before the Honorable Vincent Dinolfo. On October 14, 2015, as jury selection

was about to commence, Clifford Salters pled guilty to one count of Manslaughter in the First Degree, accepting responsibility for this senseless act. The Court sentenced Salters on December 10, 2015 to 20 years in prison and 5 years of post-release supervision.

People vs. Adam Thomas

Senior Assistant District Attorney Laura Vanderbrook

On August 31, 2013, 94 year old Elena Blavesciunas was attacked from behind and her purse was stolen as she was walking alone in the Titus Court apartment complex in the Town of Irondequoit. On April 15, 2015,

Irene Breedlove was robbed in a similar manner while she was walking alone on Ridge Road near North Clinton Avenue in the City of Rochester. And, two days later, on April 17, 2015, Cynthia Reinhardt had her purse stolen from her while she was walking in the Titus apartment complex in Irondequoit. Both Blavesciunas and Reinhardt were injured in during the robbery.

On November 20, 2015, a Monroe County Jury convicted Adam Thomas of one count of Robbery in the Second Degree and two counts of Robbery in the Third Degree. The case was prosecuted by Senior Assistant District Attorney Laura Vanderbrook of the Non Violent Felony Bureau.

Neither Blavesciunas nor Reinhardt was able to identify the perpetrator as they were attacked from behind and did not see his face. Thus fingerprints collected at the scene in 2013, video from a RTS bus in 2015, victim testimony and a collaborative investigative work by the Irondequoit and Rochester Police Departments were instrumental in the prosecution of this case.

On January 29, 2016, Supreme Court Justice Thomas Moran sentenced 30 year old Adam Thomas. Due to the violent nature of the attacks, the age of the victims and his prior criminal justice history, Justice Moran sentenced Thomas to a total of 29 years to 32 years in New York State Prison, with an additional 5 years post release supervision. Adam Thomas was then sentenced separately by County Court Judge Melchor E. Castro for violating his probation. The two year sentence for this offense with an additional 3 years of post-release supervision will run consecutive to all three robbery convictions sentences.

People v. James People v. Barkley

Assistant District Attorney Eleanor Biggers

At approximately 6:30 p.m. on April 3, 2015, the Rochester Police Department responded to 72 Council Street, a rooming house in the City of Rochester. An anonymous 911 caller had requested the police come for an assault against forty-five year old Annette Morse. Once they arrived on the scene, officers found Ms. Morse lying on the sidewalk, covered in blood. Ms. Morse immediately pointed to James Barkley, who was walking away from officers, and stated that he was the one who hit her. Fifty-seven year old Barkley initially told police that there was a home invasion and the unknown burglars attacked Morse, his longtime girlfriend. He later told officers that Ms. Morse got what she deserved and that she was “grimy.”





While waiting for an ambulance, officers located a bloody wooden board in the defendant's bedroom and an eyewitness confirmed that Barkley repeatedly struck Morse with the board in the head and face. At Strong Memorial Hospital, Ms. Morse was diagnosed with multiple fractures of the orbital bone and treated for lacerations to her scalp, as well as contusions to her face, back, and ribs. Ms. Morse was initially cooperative with prosecution and the Monroe County Grand Jury indicted Mr. Barkley on one count of assault in the first degree.

As the trial approached, Ms. Morse fell out of contact with the District Attorney's Office and was unable to be located. The defendant's jail calls revealed that he was routinely sending friends and family members to harass Ms. Morse. Mr. Barkley's recorded calls from the Monroe County Jail were filled with threats to Ms. Morse. In the calls, he also discussed details of the assault and made admissions of guilt. Investigators from the District Attorney's Office spent weeks looking for Ms. Morse all over the city, with no luck. Justice Alex Renzi permitted the use of the victim's Grand Jury testimony after a Sirois hearing determined Ms. Morse was absent due to the defendant's intimidation.

At a bench trial before Justice Alex Renzi, Assistant District Attorney Eleanor Biggers presented a victimless case, utilizing the victim's prior testimony, police and medical witnesses, and the defendant's own statements to secure an assault in the second degree conviction. On October 14, 2015, Barkley was sentenced to 7 years in prison with 5 years of post-release supervision, the maximum sentence.



People v. Nikey Hall

Senior Assistant District Attorney Meredith Vacca

On the afternoon of January 15, 2015, Rural Metro Ambulance and the Rochester Police Department responded to 735 Chili Avenue in the City of Rochester. A 14-month-old baby, Ny-Kira Hall, was in critical condition, unconscious and barely breathing. Upon Ny-Kira's arrival to Strong Memorial Hospital, she received emergency life-saving surgery. Ny-Kira had sustained a devastating head injury. During the surgery, doctors had to remove part of her skull, given the significant amount of bleeding in her brain. Ny-Kira was hospitalized for months.



Ny-Kira's biological father, Nikey Hall, was the only adult with Ny-Kira when the injury was sustained. Hall initially claimed that he was playing video games and found her on the floor at the bottom of the stairs unconscious. A thorough investigation by the Rochester Police Department, Child Protective Services, and the District Attorney's Office eventually led to the arrest of Hall.



Doctors opined that the serious injury Ny-Kira sustained was non-accidental and the result of inflicted blunt force trauma, inconsistent with a fall down the stairs, as Hall alleged. As the Rochester Police Department and the District Attorney's Office looked into the case, it became apparent that this was not the first injury Ny-Kira sustained under the care of her father. There had been prior concerns by family members about Ny-Kira's well-being under the care of her father.

The head injury Ny-Kira sustained left her in a permanent and devastating condition. Doctors say she will most likely never be able to walk or talk. She requires 24/7 care. Ny-Kira was released to the care of her maternal aunt, Denita Baker, who has provided her a safe and loving home.

Hall was indicted by the grand jury. The case was prosecuted before Justice Alex Renzi in Supreme Court. In September 2015, Hall was found guilty after a jury trial of the top count of assault in the first degree. The defendant was sentenced to the maximum allowable term of 25 years in prison.



People v. Robert Wilson

Assistant District Attorney Leslie Schildt

In the late night and early morning hours between February 22 and 23, 2015, Robert Wilson walked out of the homeless shelter where he was staying with 28-year-old Susan, a fellow shelter resident. It was approximately seven degrees below zero and windy. After walking through the city for a couple hours, Wilson suggested to Susan that they go to his sister's house for the night. Susan agreed. Wilson led the way to a desolate, industrial area near 10 Oregon Street, and then he suggested a "shortcut" across a vacant, snow-covered field, saying that his sister's house was just on the other side. Desperate to get out of the cold, Susan agreed. Wilson led the way across the field through three feet of snow with Susan walking behind in his footsteps. The snow was so deep that it was above Susan's knees.

Midway across the field, Wilson turned on Susan, threw her down in the snow, and began choking her with his hands. Susan tried to scream for help and tried to get away, but Wilson was much stronger than her, and he squeezed harder every time she screamed or tried to get away. Susan felt herself beginning to pass out from being choked, and she was afraid that if Wilson kept choking her, he would either choke her to death or leave her unconscious and she would freeze to death. So she pretended to pass out. After she passed out, Wilson hit her a few times while calling her name, seemingly trying to see if she would wake up. Susan still pretended to be unconscious. Wilson then pulled her pants down and raped her while she still pretended to be unconscious.



When he finished raping her, he pulled her pants back up and carried her (while she was still pretending to be unconscious) to a nearby street. Susan opened her eyes, looked around, and saw a city plow truck nearby that was parked with the engine running and lights on. She ran to the truck, beat on the passenger side window, and—with Wilson right behind her—told the driver that she needed help. Susan jumped in the truck and closed the door with Wilson right outside the door. As soon as Susan was inside the truck, Wilson turned and walked away.

Officials inspected the scene after the attack and located body prints in the snow where Susan said she was thrown down and raped, and they found footprints that were consistent with Susan's account of what happened.

The case was prosecuted by Assistant District Attorney Leslie Schildt of the Special Victims Trial Division. On November 20, 2015, a jury convicted Wilson of rape in the first degree, attempted strangulation in the second degree, and rape in the third degree. On February 5, 2016, Supreme Court Justice Alex Renzi sentenced Wilson to fifteen years in the Department of Corrections to be followed by fifteen years of post-release supervision.

People v. Michael Caruthers

Assistant District Attorney Sara VanStrydonck

On August 23, 2014, at around 7:30 in the morning a 14 year old girl was walking home through downtown Rochester. Unbeknownst to her, 23 year old Michael Caruthers, a complete stranger began to follow her. As she walked down Main Street and past the Liberty Pole, Michael Caruthers grabbed her, dragged her to the secluded porch of an abandoned building, in downtown Rochester, in broad day light. It was there that he forcibly raped and sexually abused this 14 year old girl while strangling her and threatening her life.

This 14 year old child had the courage of a giant, lived through the brutal attack and then made her way to a nearby Fire Station where she encountered Firefighters from the Rochester Fire Department. As one firefighter rendered medical care to the girl, another called the police. Once on scene, the Rochester Police Officers broadcast a description of the suspect who was located a short time later only blocks away. After a positive identification by the 14 year old girl, Michael Caruthers was arrested and charged with two counts of Rape in the First Degree, two counts of Rape in the Second Degree, one count of Criminal Sexual Act in the First Degree, one count of Criminal Sexual Act in the Second Degree and Criminal Obstruction of Breathing.

When Michael Caruthers was taken into custody, he had only been released from state prison less than 24 hours earlier where he was serving a sentence for a robbery conviction. He was released to parole supervision, but had not yet been required to check in with his parole officer. Caruthers was supposed to be checking into the Salvation Army which was located only blocks from the scene of the brutal attack.

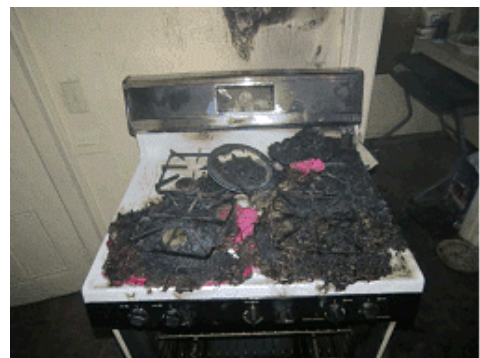
After obtaining a sexual assault forensic examination from Rochester General Hospital, the Monroe County Crime Laboratory was able to recover DNA from some of the swabs taken from the victim's body. The DNA on those swabs matched the DNA profile for Michael Caruthers. The Rochester Police Investigator was able to obtain video footage from all along the girl's path down Main Street to the Liberty Pole which showed Michael Caruthers stalking and grabbing her at the end.

The case was prosecuted by Assistant District Attorney Sara VanStrydonck, Chief of the Child Abuse Bureau. On April 21, 2015, a jury convicted Caruthers of all counts in the indictment including Rape in the first degree and Criminal Sexual Act in the First Degree. On July 2, 2015, a hearing was held to determine whether or not Caruthers should be sentenced as a Persistent Felony Offender which would enhance the sentence he would receive. On September 16, 2015, County Court Judge James Piampiano sentenced Caruthers as a persistent felony offender to the maximum period of incarceration allowable by law, 75 years to life in the State Department of Corrections.

People vs. Dante Floyd

Assistant District Attorney Jennifer Hyatt

On July 17, 2014, Dante Floyd set fire to 89 Dr. Samuel McCree Way, in the City of Rochester. That location was the home of his ex-girlfriend, Nicole Hancock. Nicole ended their relationship a day or two prior, but Dante was angry and wanted them to be together. He came back to the house on July 17 while it was empty—Nicole had taken her young children to visit family and run errands. Dante climbed through an unlocked window to gain access to the home. When Nicole returned home and discovered Dante inside, she sent her children down the street, fearing a confrontation. They argued, and Dante assaulted Nicole. She was left with black eyes and tears inside her mouth from the force of his blows. Nicole then fled the home herself as Dante yelled that he would burn down the house.



Dante was so loud during this altercation that multiple people in the neighborhood called 911 to report a man threatening to burn the house down. On two of those calls – one from Nicole and one from a neighbor – you can hear shock and fear in their voices the moment they realize he really did start a fire. Dante had thrown a pile of clothing on top of Nicole's gas stove and turned on three of the burners. The clothing caught fire almost immediately and smoke filled the room.

Based on the timing of the 911 calls, the Rochester Fire Department was dispatched almost immediately. In the three minutes it took them to arrive, the kitchen was full of smoke and the wall above the stove had caught fire. Fire doubles in size approximately every minute. The houses on that block were

close together – perhaps ten feet apart. Had the fire department not arrived so quickly, this fire could very well have engulfed 89 Dr. Samuel McCree Way and perhaps spread to the surrounding houses.

Dante fled the area after he started the fire and one of the neighbors, Denise Harley, followed him while on the phone with 911. She was able to provide a description and his location to the operator. Denise told the operator during the call that she was quite winded from her efforts and had left her home wearing only slippers, but it was because of Denise's efforts that the Rochester Police Department was able to apprehend Dante within ten minutes of the fire starting.

Rochester Arson Task Force Investigators James May and Thomas Dorrer interviewed Dante. During their discussion, he admitted to starting the fire, denied any physical altercation with Nicole, and claimed he had permission to be in the home as he had been living there.



Dante was charged with, and ultimately indicted on, five charges – Burglary in the Second Degree, Arson in the Third Degree, Assault in the Third Degree, Criminal Obstruction of Breathing or Blood Circulation, and Criminal Mischief in the Fourth Degree. The day Dante's jury trial was scheduled to begin, September 16, 2015, he made the choice to plead guilty. Dante received a sentence of seven years with the department of corrections and five years post-release supervision for his conviction of Burglary in the Second Degree.

People v. Taylor Carbonaro

Assistant District Attorney Raymond Benitez, Chief of the DWI Bureau & Senior Assistant District Attorney Darren Pilato



On Friday, February 17th, 2012, at approximately 12:46 a.m. in the Town of Sweden, County of Monroe, the defendant operated his motor vehicle in an intoxicated state and in a reckless manner thereby causing the death of his girlfriend, Mallory Hale, a front seat passenger in his vehicle.

The defendant was indicted by the grand jury as follows: Manslaughter in the Second Degree (PL § 125.15-1), Vehicular Manslaughter in the Second Degree (PL § 125.12-1), Driving While Intoxicated (VTL § 1192-2; .08 Per Se), Driving While Intoxicated (VTL § 1192-3; Common Law), and Reckless Driving (VTL § 1212).

The evidence revealed that the defendant had gone out with his girlfriend to drink and socialize at a bar in the Village of Brockport. The defendant voluntarily consumed alcoholic beverages at the establishment and left with keys in his hands, followed closely by his girlfriend. He drove his car southbound on Lake Road at a high rate of speed per a witness account and ran a red

light at a nearby intersection. The defendant then passed the witness's vehicle, which was also southbound, at an extremely fast speed, nearly losing control of his car. A short distance later, the defendant attempted to pass another vehicle and lost total control of his car. He went off the road, crashed through a telephone pole, crashed into a large tree and eventually crashed into a parked truck, bringing the defendant's car to a final rest. Both the defendant and Mallory Hale were ejected, leaving the defendant as the sole survivor. The defendant admitted to driving the car, being drunk and having way too much to drink. The defendant had a BAC of .12% by weight of alcohol in his blood. A collision reconstruction conducted by the Monroe County Sheriff's Office verified witness accounts as to speed, direction of travel and the sequence of collision events. A collision reconstruction in 'occupant kinematics' conducted by the New York State Police verified the defendant being the operator of the car at the time of the horrific fatal crash. On November 5th, 2014 a jury of defendant's peers found him guilty of all counts of the indictment. Senior Assistant District Attorney Darren Pilato was the lead prosecutor and was second-chaired by Raymond Benitez, Chief of the DWI Bureau.



Defendant Carbonaro received the maximum sentence of 5 to 15 years with the Department of Corrections. The sentence was stayed pending appeal, his appeal was denied, and the defendant surrendered to the court on January 7, 2016 to serve the imposed sentence.

Mallory Hale was a young 24-year-old hard working, and productive member of our community. She will be greatly missed by her family and friends, especially her son, two brothers, father, step-mother and mother.

People v. Thomas Rome

Assistant District Attorney Raymond Benitez, Chief of the DWI Bureau

On Saturday, December 7th, 2013, at approximately 1:26 a.m on I-490 in the Town of Gates, County of Monroe, the defendant operated his motor vehicle in an intoxicated state and in a reckless manner, thereby causing the death of Tatiana Tchekina.

The defendant was indicted by the Grand Jury as follows: Manslaughter in the Second Degree (PL §125.15-1), Vehicular Manslaughter in the Second Degree (PL § 125.12-1), Driving While Intoxicated (VTL § 1192-2; .08 Per Se), Driving While Intoxicated (VTL § 1192-3; Common Law), Reckless Driving (VTL § 1212), and Crossing Divider On Controlled Access Highway (VTL 1130-01).



The evidence showed that the defendant, a U.S. Army National Guard Captain visiting Rochester for training, voluntarily consumed alcoholic beverages at the Holiday Inn located at the intersection of I-390 and Brooks Avenue in the City of Rochester and left in an intoxicated state. The defendant disregarded “Wrong Way”, “One Way” and “Do Not Enter” traffic control signs designed to prevent motorists from driving the wrong way on controlled access highways. He entered the wrong way onto I-390 and then drove the wrong way approximately 6 to 10 miles on two separate controlled access highways (I-390N and I-490E). The defendant continued at highway speeds until crashing head on with another vehicle. The defendant killed Tatiana Tchekina, who had been driving her vehicle lawfully with her husband as a front seat passenger. The defendant had a BAC of .16% by weight of alcohol in his blood.



On November 24th, 2014, the defendant pled guilty to manslaughter in the second degree and vehicular manslaughter in the second degree. On January 16th, 2015, he was sentenced to 3½ to 10 years with the N.Y.S. Department of Corrections and 2 ½ to 7 years with the N.Y.S. Department of Corrections respectively. The case was prosecuted by Raymond Benitez, Chief of the DWI Bureau.

Tatiana Tchekina was a world class pianist who studied at the Moscow Conservatory and performed professionally with her husband, Oleh Krysa, in major concert halls around the world, such as the Great Hall of Moscow Conservatory, Wigmore Hall in London, Concertgebouw in Amsterdam, Carnegie Hall in New York City, the Kennedy Center in Washington, D.C., Suntory Hall in Tokyo, The Seoul Art Center, Taiwan’s National Concert Hall, and others. She was also a dedicated and beloved teacher to her students at the Eastman School of Music. Tatiana Tchekina will be forever missed by our community, her colleagues, her students and especially her husband, children and grandchildren.

People v. Amanda Hunt

Assistant District Attorney Raymond Benitez Chief of the DWI Bureau

On Saturday, July 26th, 2014, at approximately 11:12 p.m. on Calkins Road and Hylan Drive in the Town of Henrietta, County of Monroe, the defendant operated her motor vehicle in an intoxicated state and in a reckless manner, thereby causing the death of Lisa Welk.



The defendant was indicted by the Grand Jury as follows: Aggravated Vehicular Homicide (PL §125.14-1), Aggravated Vehicular Homicide (PL §125.14-3), Vehicular Manslaughter in the First Degree (PL § 125.13-1), Vehicular Manslaughter in the First Degree (PL § 125.13-3), Aggravated Driving While Intoxicated (VTL § 1192-2a-a; .18



Per Se), Driving While Intoxicated (VTL § 1192-2; .08 Per Se), and Driving While Intoxicated (VTL § 1192-3; Common Law).

The evidence showed that Hunt voluntarily consumed alcoholic beverages on her birthday while boating with friends and continued to consume alcoholic beverages later in the evening at a bachelor party. While intoxicated, the defendant then drove her vehicle westbound on Calkins Road at a high rate of

speed as she approached the intersection of Hylan Drive. She failed to yield the right of way to Lisa Welk who had stopped at the intersection and had proceeded to make a left hand turn in front of the defendant. The defendant made no effort to brake and had accelerated to approximately 70 mph in a 35 mph zone moments before crashing into the driver side of Lisa Welk's vehicle. Lisa Welk was killed, and her teenaged daughter who was seated in the rear passenger seat, was knocked unconscious. The daughter was eventually treated and released at the hospital. The defendant had a BAC of .21% by weight of alcohol in her blood. The defendant also had a prior conviction for driving while ability impaired by alcohol in 2011. At the time of the crash, Hunt had a valid license and had complied with all prior court imposed conditions and fines.

On December 15th, 2014 the defendant pled guilty to two counts of aggravated vehicular homicide and on February 9th, 2015, she was sentenced to 4 to 12 years with the N.Y.S. Department of Corrections on each count. The case was prosecuted by Raymond Benitez, Chief of the DWI Bureau.

Lisa Welk was a long-time volunteer with the Rush-Henrietta Central School District. She was very passionate about her family and community and will be missed by all who knew her, especially her husband Gary Smith, her daughter Shawna Smith, and her close friends, the VanBrederode family.

People vs. Cheryl Tobin

Senior Assistant District Attorney Leah Mervine

On Thursday, January 30, 2014, at approximately 3:30p.m., to break the winter monotony of going to the gym, Dr. Martin A. Abkowitz took advantage of a rare sunny day. As Dr. Abkowitz took a walk around his neighborhood, his life ended suddenly at the corner of Holt and Shoemaker Roads when an SUV driven by Cheryl Tobin careened off of the dry roadway. At the time Tobin fatally struck Dr. Abkowitz, she had several controlled substances in her blood, including Valium (diazepam), Klonopin (clonazepam), and levels of oxycodone high enough to cause death.

Earlier that afternoon, as Cheryl Tobin drove from a store in Village Gate to a friend's apartment in Wayne County, and back to her home in Webster, good Samaritans attempted to get her off of our roadways. After encountering Tobin driving recklessly in Penfield, an off-duty police officer called 911 for help. Another call to 911 came after Tobin was seen crossing into oncoming traffic and driving fully on the shoulder of a roadway. Unfortunately, law enforcement was unable to locate Tobin's SUV before the fatal collision.

A comprehensive investigation was led by the Webster Police Department and a drug recognition expert from the Monroe County Sheriff's Office. DNA matching Dr. Abkowitz's DNA profile was found on Tobin's SUV. Police also learned that Tobin had been involved in numerous motor vehicle collisions including an incident just six months prior, in which Tobin inexplicably drove into a ditch.



The case was assigned to Senior Assistant District Attorney Leah Mervine of the DWI Bureau, who presented the case to a grand jury. Tobin was indicted on one count of manslaughter in the second degree, vehicular manslaughter in the second degree, reckless driving, and several counts of driving while ability impaired by drugs and their combined influence.

After extensive hearings were held, Tobin ultimately pleaded guilty to one count of manslaughter in the second degree and one count of vehicular manslaughter in the second degree. In exchange for taking full responsibility for her criminal actions that caused the death of Dr. Abkowitz, Tobin received an indeterminate term of incarceration in state prison of one and two-thirds years to five years on each count to run concurrently. Tobin further agreed to finalize the case by waiving her right to appeal her conviction as part of the plea agreement.

People vs. Devante Spencer and Chauncey Reid

Special Assistant District Attorney Robin Catalano, Deputy Chief of the Special Investigations Bureau and Senior Assistant District Attorney Michael Dollinger



Lawrence Richardson was a promising young man, known for his cheerful disposition and dedication to a local nonviolence group known as Teen Empowerment. Mr. Richardson spoke on their behalf to groups of at risk youth, trying to steer them away from the violence that he saw plaguing the streets of his neighborhood in the City of Rochester. Lawrence stayed away from the gangs, drugs, and guns that permeated his world. Instead, he turned his attentions to his job, his friends, and his work as a voice advocating for non-violence.

On April 9, 2012, Lawrence Richardson was walking to a friend's home from a corner store in the City Of Rochester. Lawrence had spent the earlier portion of the day looking for a new part time job and visiting with members of the youth anti-violence initiative he was a member of at their headquarters. Lawrence was accompanied by his two friends, Cliff and Kenny, as they walked towards Kenny's home on Dayton Street in the gathering April dusk.

Just as the trio rounded the corner onto Dayton Street, a gold minivan well known to all in the neighborhood pulled up and stopped. It was the van used by gang members from the notorious Carter Roycroft gang to participate in acts of violence, robbery, and narcotics dealing in that area of the city. On that evening, the van was driven by gang member Devante Spencer, with fellow



gang member Chauncey Reid in the passenger seat. The van pulled over briefly a few hundred feet from the trio of friends, and a tall figure dressed in all black exited from the passenger side. The van immediately drove off.

The tall man dressed in all black approached the three friends without a word, and once he had passed them, turned and opened fire on all three at close range, striking all three multiple times in the back. Lawrence was fatally wounded.

As he lay dying in the street, he used his last breath to call 911 and try to summon help for him and his friends.

Despite the diligent efforts of Homicide Inv. Charles LoFaso, this investigation did not lead to an immediate arrest. Although Cliff and Kenny survived the assault, neither had ever met their assailant before, and were unable to identify him. The only other eyewitness, a neighbor named Henry, could only provide a description of the shooter, and not a positive ID. RPD cameras on the street captured only the van as it pulled up and then away, with no clear picture of the shooter or the shooting itself.

A break came in the case when, a few weeks after the homicide, Devante Spencer fled from the police and attempted to discard a gun before he was apprehended. After a ballistics examination was conducted by members of the Monroe County Crime Lab, that gun proved to be the murder weapon in the homicide of Lawrence Richardson. Additionally, fingerprint technicians with the Rochester Police Department were able to lift an identifiable print from the magazine of the weapon.



That print matched the known print of Chauncey Reid. However, this was still not enough to link the defendants to the murder of Lawrence Richardson.

At the same time, narcotics investigators with the Special Investigations Section had been conducting a lengthy investigation into the Carter Roycroft gang. That investigation, headed by Investigator Jennifer Morales, led to multiple arrests for weapons and narcotics-related offenses of various members of the gang, including Tashaka Mitchum. Through Inv. Morales' interviews with Mitchum, it was learned that he was a witness to the events immediately before and after the murder of Lawrence Richardson, and that both defendants had confided in him about the events of that evening as a confidant and friend.

Mr. Mitchum indicated to law enforcement that Devante Spencer had been targeting Lawrence Richardson over the better part of a year based on a perceived insult at a corner store during a chance encounter. Spencer's dislike of Richardson grew with time, despite the two of them having no further interactions. Mr. Mitchum indicated that on the day of the murder, Spencer had seen the victim walking to the store, and decided that he was going to kill him because he was "sick of seeing his face." Spencer then tried to recruit his fellow gang members to help him in the murder. Mitchum declined. Chauncey Reid went along with Spencer, and ultimately was the trigger man.



Based on Mr. Mitchum's willingness to testify to the events surrounding the murder, charges were finally brought in May of 2014. The prosecution of this matter was handled by Assistant District Attorney Robin Catalano and Assistant District Attorney Michael Dollinger, both of whom also assisted in the investigation prior to the filing of charges.

The Monroe County grand jury returned an indictment containing charges against both Devante Spencer and Chauncey Reid of murder in the second degree, assault in the first degree (2 counts), criminal possession of a weapon in the second degree (2 counts), and criminally using a firearm.

In March of 2015, both defendants stood trial jointly before Judge James Piampiano in Monroe County Court. The case was heard by a jury, and the trial itself lasted nearly three weeks. The jury heard testimony from the surviving victims, as well as multiple members of the Rochester Police Department who were involved in the homicide investigation and the recovery of the murder weapon. The jury heard testimony from gang member Tashaka Mitchum, who testified over the course of two days regarding the homicide itself, as well as the activities of the defendants as members of the Carter Roycroft gang. Additionally, the jury listened to a call made by Reid from the Monroe County Jail during the course of the trial itself, indicating that he was shocked that Mitchum, a friend of his, would tell on him, thus corroborating his relationship with the People's chief witness. Tellingly, the jury's one request for a read back was the direct exam only of witness Mitchum, indicating that his compelling testimony was crucial in securing the conviction of both defendants.

After less than a day of deliberating, the jury returned a verdict on March 23, 2015 of guilty on all counts for each defendant. Both defendants were sentenced by Judge Piampiano to consecutive terms on the various charges totaling 90 years to life with the Department of Corrections.

People v. Jermaiine Poindexter

Senior Assistant District Attorney Cassie Kocher

On August 7, 2014 Greece Police officers conducted a traffic stop of a vehicle being operated by the defendant, Jermaiine Poindexter. Upon issuing the defendant a traffic ticket, the officer noticed the odor of marijuana emanating from the defendant's vehicle. The officer indicated he was going to search the defendant's car and the defendant sped off down Mt. Read Boulevard. The defendant



led officers on a high speed chase down Mt. Read Boulevard and ultimately crashed into other vehicles that were stopped at a red light in the area of Mt. Read Boulevard and Emerson Street. Following the crash, the defendant fled from his vehicle on foot and was ultimately apprehended nearby. Once the defendant was in custody, his vehicle was searched and over one eighth of an ounce of cocaine was found in the vehicle.



A black car with its hood open is parked on a street at night. A person is standing next to the car, and evidence markers are visible on the ground. The scene is illuminated by streetlights, and a building with a sign is visible in the background.

Name: Hafiz

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Date: _____ Page: _____
Section: _____

Unit	Start	End	Start/End	Start/End	Start/End	Start/End	Start/End	Start/End
Lesson	1	2	3	4	5	6	7	8
Reading	1	2	3	4	5	6	7	8
Writing	1	2	3	4	5	6	7	8
Speaking	1	2	3	4	5	6	7	8
Listening	1	2	3	4	5	6	7	8
Video	1	2	3	4	5	6	7	8
Grammar	1	2	3	4	5	6	7	8

Teacher: _____

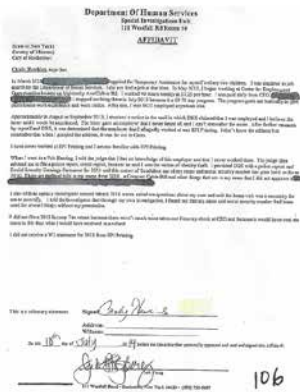
UNIT: _____

Unit	Start	End	Start/End	Start/End	Start/End	Start/End	Start/End	Start/End
Lesson	1	2	3	4	5	6	7	8
Reading	1	2	3	4	5	6	7	8
Writing	1	2	3	4	5	6	7	8
Speaking	1	2	3	4	5	6	7	8
Listening	1	2	3	4	5	6	7	8
Video	1	2	3	4	5	6	7	8
Grammar	1	2	3	4	5	6	7	8

Teacher: _____

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Cicely Hawkins pled guilty on July 15, 2015 to Welfare Fraud and Offering a False Instrument for Filing. This is her eighth felony conviction. She previously pled guilty to felonies in 1997, 2000, 2004, and 2007. Her previous convictions satisfied 19 other indicted felonies.

After first completing the sentence for which she was already on parole, Ms. Hawkins will serve an additional 2-4 years for her most recent criminal conduct.

People v. Gary Eady

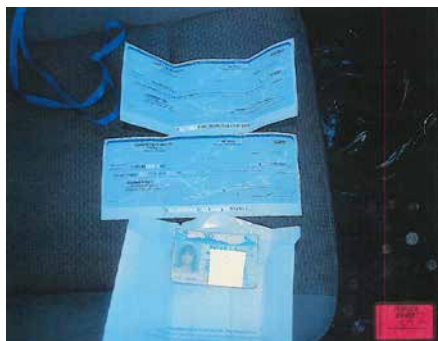
Senior Assistant District Attorney James Egan

Throughout the autumn of 2012, many western New York banks and credit unions received payroll checks that appeared genuine but ultimately were counterfeit.

On November 13, 2012, Officer James Coughlin of the Gates Police Department detained a woman who had cashed one of those checks. She admitted that she had cashed approximately 20 counterfeit checks throughout western New York during the past few weeks. She explained that the source of the checks was a man who had other women doing the same thing for him.



Officer Coughlin contacted the Monroe County Sheriff Office's Economic Crime Unit. Inv. Eric Mezzoprete interviewed the woman and determined that the source of the checks went by the name "G." and "Gary" and was likely a man named Gary Eady who had a history of counterfeiting and forgery in our region. Mr. Eady was also a parolee but had absconded from supervision.



Inv. Mezzoprete conducted a controlled telephone call between the detained woman and her source and confirmed his identity. The woman was released with instructions regarding what to do if Mr. Eady contacted her about passing more checks.

Mr. Eady called her the next morning. They arranged a meeting at the East-West gas station at 2575 Culver Road in Irondequoit. The Sheriff's Department staked out the location and took Mr. Eady and his driver into custody. The vehicle was seized and a search warrant was executed. Several photo identifications and counterfeit checks were in the car, including checks from several Erie County businesses.

Mr. Eady was indicted on four separate felony charges on January 30, 2013. He then attempted to derail the prosecution through a number of unsuccessful tactics that significantly delayed the case. However, on January 29, 2015, a jury found him guilty of all counts.

Assistant District Attorney James Egan requested a hearing to determine whether Mr. Eady should be considered a persistent felon and get a longer sentence. Supreme Court Justice Alex Renzi agreed to the hearing at which Mr. Eady was shown to have had 13 prior felony convictions, including a violent felony and a federal bank fraud conviction. In addition to his long history of forging and counterfeiting, Mr. Eady was also shown to have a history of violence against women.



Unfortunately, in 2008, a different Supreme Court Justice in Monroe County denied the prosecution's request to hold such a hearing, and Mr. Eady was released to parole in 2011. This was just the most recent example of the many opportunities to change his life that Mr. Eady squandered.

On March 26, 2015, Justice Renzi sentenced Mr. Eady to 15 years – life as a persistent felon. He is currently a prisoner at Auburn Correctional Facility, a maximum security state prison.

People vs. Stephanie C. Holtz

Mark Monaghan, Chief of the Economic Crime Bureau

From approximately 2009 to 2015, Stephanie C. Holtz was Deputy Registrar for Monroe County. Ms. Holtz held a master's degree and was in charge of all aspects of the Bureau of Vital Statistics at 111 Westfall Road, including its staff, computer system, and revenue. In fact, she had been consulted when a new computer software system was being designed to improve record and revenue tracking.



A confidential informant contacted the Monroe County Whistleblower Hotline and provided information that Ms. Holtz was using her position as Deputy Registrar to alter the records at the Bureau of Vital Statistics and the Department of Finance and conceal missing money.



The Monroe County Sheriff's Office vetted the allegations and then conducted an undercover investigation of its own at the Bureau of Vital Statistics. It included the use of video surveillance. MCSO personnel entered the secure offices after hours to review the contents of the Bureau's safe as well as original documents discarded by Ms. Holtz into her recycling bin.

A follow up audit, a review of Ms. Holtz's personal bank accounts, and a forensic review of her computer password usage showed that approximately \$16,800 was unaccounted for, and that Ms. Holtz had indeed tampered with public records and falsified business records submitted to the Department of Finance in order to conceal the missing money and defraud Monroe County.



On July 30, 2014, Ms. Holtz was formally charged and later indicted for two felony counts of Tampering with Public Records First Degree, two felony counts of Offering a False Instrument for Filing First Degree, and three felony counts of Falsifying Business Records First Degree.

Fired months earlier and with a jury trial imminent, the Defendant chose to plead guilty on September 3, 2015 to all counts of the Indictment. In return, she received a sentence promise from the court of six months in the Monroe County Jail conditioned upon payment of the entire \$16,800 prior to her sentence on January.

Ms. Holtz appeared on January 4, 2016, and paid the entire \$16,800 restitution to Monroe County. Her attorney attempted to have Supreme Court Justice Thomas Moran reduce her sentence promise to a period of probation supervision rather than jail. Justice Moran refused, and Ms. Holtz was immediately remanded to the Monroe County Jail to begin her sentence.

People v. Clemon Jones

Assistant District Attorney Geoff Kaeuper, Deputy Bureau Chief of Appeals

Among the many cases the Appeals Bureau of the D.A.'s Office has argued in 2015 before the state's highest court, the New York Court of Appeals, two involved important questions of recidivist sentencing: *People v. Clemon Jones* and *People v. Willie Wragg*. In *People v. Clemon Jones*, the Court had to interpret New York's persistent felony offender law — the law giving judge's discretion to impose life sentences for recalcitrant offenders even if their crimes are non-violent. Clemon Jones is the poster child for this law. For decades upon decades, Jones led a life of crime interrupted only by temporary periods of incarceration. He was a pimp, a car thief, a drug dealer, a counterfeiter and a swindler. Although most of his crimes were technically classified as "non-violent," Clemon Jones left a trail of suffering and victimization wherever he went. He is a parasite who has shown himself incapable of co-existing with a civilized society. For this reason, when the Monroe County D.A.'s Office convicted him in 2007 of criminal possession of a forged instrument, Judge Richard A. Keenan imposed a "persistent" sentence of 15 years to life.

On appeal, Jones made a technical argument about whether his criminal history qualified under New York's persistent felony offender law. Some of his prior convictions had been in federal court, for crimes that do not have exact parallels under New York state law. Jones argued that this meant that those convictions could not be counted against him in order to make him eligible for persistent felon status. The Monroe County D.A.'s office argued that this "New York equivalency test" (which does apply in some other sentencing circumstances) does not apply to the persistent felony offender law. The Court of Appeals agreed, and upheld the life sentence for Jones.

People v. Willie Wragg

Assistant District Attorney Geoff Kaeuper, Deputy Bureau Chief of Appeals

In *People v. Willie Wragg*, the sentencing issue involved repeat sexual abusers of children. Wragg was convicted by the Monroe County D.A.'s office in 2009 of sexual abuse in the first degree for molesting a young girl who was on her way to meet friends at the park. Wragg had previously been convicted of raping a child under the age of 11 and had served his prison sentence for that crime. Thus, for this 2009 conviction, Justice Alex R. Renzi imposed an enhanced sentence for a second child sexual assault felony offender: 15 years in prison, rather than the otherwise-maximum term of 7 years.

On appeal, Wragg made a technical argument to try to get his sentence reduced. He argued in essence that the prosecution had the discretion to decide whether to eventually impose the enhanced sentence but the prosecution had to announce that decision before the trial, or else they waived the enhanced sentence. The Monroe County D.A.'s office responded by arguing that the enhanced sentencing for repeat child sexual abusers is mandatory, not discretionary. In passing that sentencing law, the legislature wanted to ensure stiffer penalties for these worst-of-the-worst predators.

The Court of Appeals agreed and upheld Wragg's enhanced sentence. The unanimous court found that the increased penalties were designed to be mandatory so as to "better protect the public and address recidivism" in cases of child sex abusers. Thus, neither Willie Wragg nor anyone else convicted of a repeat sex crime against a child will be able to avoid an enhanced sentence based on procedural technicalities.

People v. Everett Durant

Assistant District Attorney Geoff Kaeuper, Deputy Bureau Chief of Appeals

The Appeals Bureau handled one of the year's most watched criminal cases before the Court of Appeals in *People v. Everett Durant*. In 2009, a jury convicted Durant at trial of robbing a man who was walking down North Clinton Avenue in the City of Rochester. In an interview with investigators that was not recorded, Durant admitted to assaulting the victim but claimed that he had not stolen anything from him. At trial, the defense asked the Judge to instruct the jury that it could disregard the confession because the interview had not been recorded. The judge denied that request.

In light of the current media focus on the issue of possibly-false confessions, the video recording of police interrogations presented a contentious subject, and groups on both sides of the issue filed briefs with the Court of Appeals in this case as *amici curiae* ("friends of the court"). The Monroe County D.A.'s Office took the position that video recording should be encouraged, and indeed throughout Monroe County and statewide, law enforcement has been making great efforts to equip and train for video recording of interrogations on the scale needed. So there is no basis to punish law enforcement by discounting a confession (and thus potentially letting a criminal go

free) simply because police policy at the time did not require video recording. And piecemeal court-made rules about instructing the jury on video recording would add confusion at a time when the legislature is actively formulating requirements to comprehensively govern video recording of interrogations.

The Court of Appeals rejected Durant's appeal. The Court noted that the various stakeholders in the criminal justice system were already coming together to address the issues surrounding interrogations, and the legislature was the proper body to craft rules in that area. Accepting Durant's argument on appeal "could entangle the courts in protracted litigation over the boundaries, if any, of defendant's proposed rule." By that judicial restraint, the Court's decision leaves the legislature free to construct rules that will be fair and efficient, but it also prevents the needless reversal on appeal of scores of fairly-obtained convictions simply because they occurred at a time when video recording was technically feasible but not commonly used. New York will continue to move forward to improve transparency and fairness in the processes of the criminal justice system, and the decision in *People v. Everett Durant* ensures that, in the area of video recording interrogations, we can do that clear of unintended consequences.

